

**STATE OF MICHIGAN
BEFORE THE MICHIGAN JUDICIAL TENURE COMMISSION**

COMPLAINT AGAINST:

HON. JAMES M. JUSTIN
12th District Court
Jackson County Courthouse
312 S. Jackson Street
Jackson, Michigan 49201

Formal Complaint No. 87

COMPLAINT

The Michigan Judicial Tenure Commission (“Commission”) files this complaint against Honorable James M. Justin (“Respondent”), Judge of the 12th District Court, Jackson, Michigan. This action is taken pursuant to the authority of the Commission under Article 6, Section 30 of the Michigan Constitution of 1963, as amended and MCR 9.200 *et seq.* The filing of this Complaint has been authorized and directed by resolution of the Commission.

JURISDICTIONAL ALLEGATIONS

1. Respondent is, and at all material times was, a judge of the 12th District Court for the County of Jackson. Respondent was sworn in and was a judge of the 13th District Court beginning January 1, 1977. On January 1, 1986, the 13th District Court was merged into the 12th District Court creating one countywide district. Respondent has since that time been a judge of the 12th District Court.

2. As a judge, Respondent is subject to all the duties and responsibilities imposed on him by the Michigan Supreme Court, and is subject to the standards for discipline set forth in MCR 9.104 and MCR 9.205.

COUNT I
CASE DISMISSALS AND INAPPROPRIATE DISPOSITIONS

3. As set forth in the factual allegations below, Respondent has engaged in a pattern of conduct in which he has dismissed cases, including misdemeanors and traffic citations, without hearings. Respondent has dismissed tickets cases that have been brought against his court reporter, his court officer, his wife, and even himself. Respondent has dismissed cases without authorization of the prosecuting authority.

4. As set forth in the factual allegations below, Respondent has engaged in a pattern of conduct in which he has entered beneficial judgments for certain defendants, often in multiple cases, by dismissing cases or by waiving or suspending fines and costs. Respondent stops Secretary of State (SOS) abstracts for defendants in violation of MCL 257.732, saving the defendants from paying driver responsibility fees under MCL 257.732a.

5. As set forth in the factual allegations below, Respondent has removed or set aside dispositions, including convictions by guilty plea and default judgments without the consent or authorization of the prosecutor. Respondent has

dismissed and/or waived or suspended fines and costs on these cases without authority. Respondent has improperly removed or deleted Secretary of State (SOS) abstracts for many of these cases.

6. As set forth in the factual allegations below, Respondent has waived or suspended fines and costs, and improperly stopped, removed, or deleted Secretary of State abstracts for certain defendants, often for multiple cases for a defendant.

7. As set forth in the factual allegations below, Respondent has engaged in a pattern of dismissing traffic tickets and misdemeanor cases without following normal court procedures. Respondent has taken files, including files not assigned to him, and dismissed the cases without a hearing and without the authority of the prosecutor.

8. As set forth in the factual allegations below, including but not limited to paragraphs 63, 64, 65, and 66 below, Respondent has engaged in a pattern of conduct that allowed family, social, or other relationships to influence his judicial conduct or judgment, including dismissing tickets or waiving or suspending fines and costs for his friends, his court staff, his wife, and himself.

9. As set forth in the factual allegations below, Respondent has dismissed or reduced charges in cases in court proceedings with the authority of the prosecuting attorney. Respondent has done this without a plea agreement from

the prosecutor or in violation of a plea agreement with between the prosecutor and defendant.

10. As set forth in the factual allegations below, Respondent engaged in a pattern of favoritism for certain individuals, including Tacara Wilson, Cynthia May, Paul Rumler, Golden Gibson Jr., Roscina Ragland, Robert Lewis, and others, by dismissing cases, waiving or suspending fines and costs or stopping or removing SOS abstracts.

11. As set forth in the factual allegations below, Respondent has dismissed traffic tickets and misdemeanor cases after ex parte communications with defendants. In his response to the Commission's 28-day letter sent June 15, 2010 pursuant to MCR 9.207(D)(1), Respondent admitted to dismissing tickets outside the court's normal procedures after ex parte communications with defendants. Respondent claimed his conduct was to provide "optimum, convenient service."

12. As set forth in paragraph 224 below, for defendant Daryl Ross, case 09J166266A, DWLS; 09J166266B, no proof of insurance; 09J166266C, expired plates, registration; Respondent dismissed the citations notating "invalid stop" based on information written on the ticket by the police officer. Respondent made an evidentiary ruling without a hearing and without notice to the prosecutor, who did not consent to the dismissals.

13. As set forth in the factual allegations below, Respondent engaged in a pattern of entering false information or causing false information to be entered into the court's Judicial Information System (JIS) computer, falsely entering for many dismissals that the dismissal was "dismissed by party" or "dismissed on motion of prosecutor" or similar language, when the prosecutor did not authorize the dismissal.

14. The factual allegations relating to the above paragraphs in Count 1 include but are not limited to paragraphs 63, 64, 65, 66, 70, 72, 78, 80, 82, 86, 87, 92, 93, 95, 97, 98, 99, 101, 102, 103, 105, 106, 113, 114, 115, 119, 123, 127, 129, 132, 133, 134, 135, 136, 138, 141, 143, 146, 147, 150, 153, 158, 161, 162, 163, 164, 165, 166, 167, 169, 170, 173, 175, 179, 181, 185, 187, 188, 190, 192, 194, 199, 200, 202, 203, 211, 213, 215, 217, 218, 219, 223, 224, 225, 226, 227, 229, 230, 233, 234, 235, 236, 237, 240, 246, 249, 252, 257, 260, 263, 266, 267, and 268 below.

COUNT 2
SECRETARY OF STATE ABSTRACTS

15. As set forth in the factual allegations below, Respondent engaged in a pattern of conduct in which he altered, deleted, or stopped Secretary of State abstracts of convictions, using the court's JIS computer. Respondent's acts of stopping, removing or deleting abstracts violate MCL 257.732, of which paragraph

14 specifically states, “The failure, refusal, or neglect of a person to comply with this section constitutes misconduct in office and is grounds for removal from office.”

16. Respondent has entered abstract stopped orders, or abstract removals or deletions into the court’s JIS system himself or ordered his staff or the court staff to do so.

17. Respondent has engaged in a pattern of conduct in which he has ordered abstracts stopped and information not entered into the SOS system for convictions that should abstract. Respondent’s orders to stop abstracts prevent convictions that should be on SOS driving records from appearing.

18. Respondent’s actions of stopping, removing, or deleting SOS abstracts of convictions prevents the Secretary of State from assessing driver responsibility fees under MCL 257.732a from individuals with these convictions, costing the State of Michigan unknown thousands of dollars.

19. In 2007, after an inquiry into a deleted abstract from the Secretary of State, 12th District Court Chief Judge Mazur questioned Respondent. Respondent admitted deleting the abstract and claimed he did it by mistake. Judge Mazur counseled Respondent not to do so again. Respondent continued to delete or modify SOS abstracts to the point where Judge Mazur removed his ability to access the

JIS. Respondent, continued to change or stop abstracts, ordering his staff to access the system to make the changes.

20. For many defendants Respondent has stopped abstracts for multiple convictions, often for guilty pleas taken in multiple cases the same day.

21. Respondent has sent or caused to be sent information to the SOS to delete or remove abstracts for convictions months or even years after the conviction. Respondent has done so for cases assigned to other judges.

22. Respondent has violated MCL 780.621, which prohibits setting aside convictions for traffic offenses.

23. Respondent has violated MCL 257.732 paragraph 22 that states, “Except as provided in this act and notwithstanding any other provision of law, a court shall not order expunction of any violation reportable to the secretary of state under this section.”

24. Respondent has removed abstracts for many cases of no proof of insurance charges, noting “vehicle was insured” sometimes months after a citation’s appearance date and/or the date a default was entered, violating MCL 257.328, which requires a defendant to produce proof that the vehicle was insured at the time of the violation before the appearance date on the citation. Respondent’s actions also violate MCL 257.907 (16), which requires verification that the person produced valid proof of insurance, in effect at the time of the

violation, before the appearance date on the citation. The statute states that insurance obtained subsequent to the time of the violation does not make the person eligible for a waiver of fines, costs, or fees.

25. The factual allegations relating to the above paragraphs in Count 2 include but are not limited to paragraphs 72, 78, 80, 82, 95, 97, 99, 102, 103, 105, 106, 114, 119, 123, 127, 129, 132, 135, 136, 141, 143, 147, 150, 153, 158, 162, 163, 166, 169, 170, 173, 179, 181, 185, 187, 190, 192, 199, 200, 202, 203, 211, 213, 215, 218, 223, 224, 225, 226, 227, 229, 233, 234, 236, 237, 240, 246, 249, 252, 260, 263, 267, 268, and 270 below.

COUNT 3 **EX PARTE COMMUNICATIONS**

26. Respondent has engaged in ex parte communications with defendants. Respondent has dismissed cases and stopped, deleted, or altered Secretary of State abstracts after ex parte communication with defendants.

27. Respondent has engaged in ex parte communication with defendants who received traffic citations, and as a result of the ex parte communication has gone to the file room, pulled a citation or ordered a clerk to pull a citation, and dismissed it. On April 26, 2010, Respondent had a conversation with a woman in the hallway outside the courtrooms who informed Respondent of a ticket she received. Respondent went into the traffic department and told Julia Hunter, an

employee in the traffic department, that defendant Jamie Lynn Chapman was to be given time to pay the usual fines and costs in case 10J170396A for expired plates/registration and that case 10J170396B, no proof of insurance, was dismissed. Respondent had Ms. Hunter enter the information into the JIS. Respondent wrote on the ticket “Dismissed as cert displayed was valid” and initialed it. There was no hearing. The case was not assigned to Respondent and Respondent’s action was contrary to normal court operating procedures. Respondent had previously dismissed another ticket for defendant without the prosecutor’s authorization, case 09J157834A, DWLS, and B, defective equipment, on February 9, 2009.

In his response to the Commission’s 28-day letter sent June 15, 2010, pursuant to MCR 9.207(D)(1), Respondent admitted to dismissing tickets in similar fashion after ex parte communications with defendants in the courthouse hallways or otherwise.

28. Respondent dismissed tickets for his court officer, his court recorder, and his wife after ex parte communications with them.

29. Respondent engaged in communication with Roscina Ragland, a defendant familiar to him, regarding a civil case she had before a different judge, as described in Count 7 in this complaint. Respondent then had an ex parte discussion with that judge in an attempt to persuade the judge to change his ruling.

30. As described in paragraph 257 below, in case 090795JP, Toni Wheeler was charged with failure, neglect or refusal to file tax return. On May 8, 2009, defendant pled guilty and paid \$125. On October 14, 2009, Respondent ordered the plea and disposition removed and the complaint dismissed, and ordered a refund of \$125 in response to a letter dated May 20, 2009, that Respondent received from Barbara Headen Duncan, who indicated she was defendant's mother. She stated among other things that Respondent was her friend and had visited her house. She asked for Respondent's help. Respondent sent Ms. Duncan a letter dated October 14, 2009 notifying her of his actions. There was no hearing and Respondent did not inform or consult with the prosecutor.

COUNT 4
FAILURE TO FOLLOW PLEA AGREEMENTS

31. As set forth in the factual allegations below, Respondent has failed to follow plea agreements made between the prosecutor and defendants. Respondent has dismissed or reduced charges without the prosecutor's authorization or in violation of plea agreements.

32. City and township prosecutors offer reduced charges, or dismissal of counts or cases, in plea agreements with defendants with a condition that defendant pay cost of prosecution (COP) as authorized by city and township ordinances. Respondent has ordered COP per the plea agreement in some cases, but has

accepted pleas and refused to follow the plea agreement by failing to order COP in other cases.

33. The factual allegations relating to the above paragraphs in Count 4 include but are not limited to paragraphs 67, 68, 69, 74, 75, 76, 79, 81, 83, 85, 89, 90, 91, 96, 100, 104, 106, 107, 109, 110, 111, 116, 117, 118, 122, 125, 128, 134, 140, 142, 145, 148, 152, 155, 157, 159, 160, 168, 171, 172, 178, 183, 189, 191, 198, 201, 204, 205, 208, 210, 212, 221, 231, 232, 241, 242, 243, 244, 245, 247, 248, 259, 262, 264, 269, and 271 below.

COUNT 5 **DELAY**

34. As set forth in the factual allegations below, Respondent fails to promptly dispose of the business of the court. Respondent adjourns cases repeatedly for months and even years, including beyond the time a person could serve a term of probation or jail. Respondent engages in a pattern of adjourning or delaying multiple cases for certain defendants.

35. Respondent violates MCL 771.1 (2) which provides that the court may delay sentencing for not more than 1 year. Respondent has engaged in a pattern of conduct in which he adjourns and delays sentencing on cases beyond one year.

36. Respondent has engaged in a pattern of conduct in which he fails to follow Supreme Court Administrative Order No. 2003-7 regarding caseflow management guidelines, which direct that 100% of all statute and ordinance misdemeanor cases should be decided within 126 days, and civil infractions within 84 days.

37. Respondent has engaged in a pattern of conduct in which he adjourns cases repeatedly after sentencing to allow defendants time to pay or complete terms of the sentence, refusing to enforce judgments.

38. Respondent has engaged in a pattern of conduct in which he delays and adjourns cases so that he can personally monitor and supervise defendants. Respondent often continues this supervision beyond the two-year maximum probation period allowed by MCL 771.2 (1) for non-felony offenses.

39. The factual allegations relating to the above paragraphs in Count 5 include but are not limited to paragraphs 95, 113, 123, 129, 131, 158, 162, 173, 177, 196, 199, 200, 206, 209, 214, 216, 225, 227, 228, 234, 236, 237, 251, 256, 260, 262, 265, and 267 below.

COUNT 6
PEACE BONDS

40. Respondent has engaged in a pattern of conduct in which he has improperly imposed peace bonds for duration of five years on defendants, violating

MCL 772.1 through 772.15 by failing to comply with the statutory procedures. Respondent has issued peace bonds without a written complaint under oath, and without examining under oath the complainant as required by MCL 772.2. Respondent has issued peace bonds without complying with MCL 772.4 by denying defendants their right to a jury trial. Respondent has the peace bonds entered into the Law Enforcement Information Network (LEIN).

41. In Respondent's reply dated July 23, 2010, to the Commission's June 15, 2010, 28-day letter sent pursuant to MCR 9.207(D)(1), Respondent asserted that the peace bonds he issued were not issued under MCL 772.1 *et seq.* but as a condition of sentencing under MCL 769.6 to persons convicted of a crime before him. MCL 769.6 limits the duration of a bond issued as a condition of sentencing to two years. If Respondent, as he claims, issued the peace bonds under that statute, he has violated the statute by issuing peace bonds for five years.

42. Contrary to his assertions, Respondent has issued at least one peace bond to a person who was not convicted of a crime, and therefore not sentenced under MCL 769.6. In case 074179FY, defendant Jerry Gary was charged with Check-No Account (MCL 750.131A1), a two-year felony. The case was dismissed after a preliminary examination was conducted before Respondent on November 13, 2007. Respondent held the defendant in contempt for an outburst and fined him. On November 29, 2007, Respondent approved and gave Mr. Gary a peace

bond effective on November 27, 2007, for five years until November 27, 2012. Mr. Gary was not convicted upon an indictment for any offense not punishable with death or by imprisonment as required by MCL 769.6.

43. Contrary to his assertions, Respondent has issued peace bonds for defendants convicted before him not as a condition of sentencing under MCL 769.6, but as a separate court order.

44. Respondent issues the peace bonds on his own form. The form does not cite either MCL 769.6 or 772.1 *et seq* as authority for the bond. Nor does Respondent cite either statute on the court file. Peace bond examples:

- a. Case No. 092233JP; Donald Scouten. Mr. Scouten was charged with Disturbing the Peace, a 90-day misdemeanor. On January 25, 2010, he appeared before Respondent and pled guilty. He was fined a total of \$130, which he immediately paid. Respondent also issued a \$1000 personal recognizance peace bond, served on defendant by Respondent and effective January 25, 2010, prohibiting Mr. Scouten from having contact with Blue Cross. The peace bond expires January 25, 2015, and Respondent set a review date of February 25, 2015.
- b. Case No. 064566FY; Max Kenton. Mr. Kenton was originally charged with a felony for Aggravated Stalking, but allowed to plea before Respondent to the misdemeanor Simple Stalking, with no objection to a delayed sentence and dismissal. He pled nolo contendere on May 4, 2007. On July 13, 2007, Respondent entered a peace bond against defendant into the LEIN. Defendant was served by Respondent on June 20, 2007. The bond expired on June 20, 2012. On March 4, 2009, Respondent entered into JIS that fines and costs were waived-peace bond required. On March 27, 2009,

Respondent set June 20, 2012, as a review date. On May 22, 2009, Respondent did a supplemental sentence of nine months probation. On June 30, 2009, Respondent modified the peace bond and re-entered it to allow defendant to possess a gun to go hunting.

- c. Case No. 042120 SM; Marvell Williams. Mr. Williams pled guilty before Respondent to Domestic Violence on October 11, 2004. On October 12, 2004, Respondent set a personal bond for defendant with a no-contact protective provision. Defendant was scheduled for sentencing on November 3, 2004, but Respondent adjourned the sentence multiple times to February 1, 2006. On February 1, 2006, Respondent served defendant with a peace bond effective February 1, 2006, and effective until February 11, 2011. The sentencing was adjourned until February 27, 2006, when Respondent adjourned the case for review set for February 1, 2011, with the entry “peace bond in LEIN” in JIS. There was no complaint for a peace bond or trial. The ROA does not reflect that defendant has been sentenced, but Respondent wrote “F & C waived-post peace bond” on the court file, dated 2-1-06.
- d. Jerry Gary was charged with Check-No Account (MCL 750.131A1) a two-year felony in case 074179FY, as set forth above.

The bond in each of these cases is substantially identical in form.

45. Respondent has failed to follow the directions of the Court of Appeals. In the case of *In re Rupert*, 205 Mich App 474 (1994), the Court of Appeals reviewed an appeal by Respondent of a circuit judge’s granting of a writ for superintending control that ordered Respondent to refrain from issuing peace bonds. The Court said that it was clear that Respondent “had established its own

procedures of issuing peace bonds that were not consistent necessarily with the procedures outlined by statute.” (205 Mich App at 480.) The court directed Respondent to follow the statutory procedures. The court affirmed in part and reversed in part the circuit court’s order.

46. Respondent has used peace bonds to extend supervision over defendants beyond the maximum two-year probation period allowed by law (MCL 771.2) for misdemeanor convictions.

COUNT 7
INTERFERENCE WITH A CASE ASSIGNED TO ANOTHER JUDGE

47. Case 090975LT Dale Moretz v. Roscina Ragland and Derrick Ragland was a landlord-tenant case assigned to Judge Klaeren. Judgment was entered against the defendants May 21, 2009. A writ of eviction was issued by Judge Klaeren June 9, 2009. The writ was posted July 31, 2009, according to the testimony of court officer Emanuel Morales, given on August 12, 2009 in a hearing held before Judge Klaeren.

48. On August 11, 2009, attorney Michael Baughman, representing the defendants, asked Judge Klaeren for a stay of execution on the writ, and filed a motion to set aside the writ and order of possession. Judge Klaeren denied the motion and the request for a stay.

49. Defendant Roscina Ragland had numerous cases before Respondent over many years, and had been given favorable treatment in some of her traffic cases, including dismissals and stopped abstracts for convictions.

50. On August 11 or 12, 2009, after losing her motion to stay execution of the writ, Roscina Ragland and/or Derrick Ragland informed Respondent what happened. As a result of this communication, Respondent went to speak to Judge Klaeren. Respondent spoke to Judge Klaeren during the lunch hour for at least one half hour, trying to convince him to reverse his decision. Judge Klaeren informed Respondent he would not reverse his decision.

51. Respondent called the court officer, Emanuel Morales and told him that the writ of eviction had expired and he needed to file another writ. Respondent told him that if he went ahead with it he and the attorney could be sued.

COUNT 8
MISREPRESENTATIONS TO THE JUDICIAL TENURE COMMISSION

52. Respondent filed a response dated July 23, 2010, to the Commission's June 15, 2010, 28-day letter sent pursuant to MCR 9.207(D)(1). The response contains material misrepresentations, misstatement of facts, and omissions.

53. Regarding dismissals of traffic citations, Respondent admitted to doing so and claimed that because no police officer or prosecutor complained

afterward that his or her silence is acquiescence to Respondent's action. Respondent deliberately omitted that he failed to give notice either before or after his actions to either the police for the prosecutor, and that neither the officers nor the prosecutors had any knowledge of Respondent's action.

54. Respondent failed to inform the Commission that besides dismissing a ticket for Respondent's court officer, Respondent also dismissed a ticket for Respondent's court recorder, five tickets for Respondent's wife, and four tickets for himself.

55. Respondent stated that he declined to assess costs of prosecutions (COP) as contained in plea agreements because he was required to do so by law. Respondent stated that it would have been illegal to assess them under MCL 769.1(f) and that most of the cases in which costs of prosecution were part of the plea agreement did not qualify. Respondent deliberately misled the Commission that Respondent was following the law, when in fact Respondent had been ordering costs of prosecution in cases that do not qualify under MCL 769.1(f) as set forth in the paragraphs 71, 73, 77, 84, 94, 108, 112, 120, 121, 124, 126, 130, 135, 137, 139, 149, 151, 153, 154, 156, 174, 180, 181, 182, 186, 193, 195, 196, 197, 201, 207, 220, 229, 238, 239, 249, 250, 253, 255, 258, and 261 below.

56. Respondent's response also cited the SCAO memo dated May 6, 2010, as indicating that costs of prosecution cannot be ordered. Prior to that date,

Respondent ordered costs of prosecution as stated above and continued to do so after that date (see for example Lawrence Walker 10J170073A and 10J170023A as set forth in paragraph 255 below.)

57. Respondent also failed to order costs of prosecutions per plea agreements in cases that qualified under MCL 769.1(f), as set forth in paragraphs 67, 69, 74, 75, 83, 90, 96, 104, 107, 109, 116, 118, 122, 140, 148, 155, 172, 178, 189, 191, 198, 205, 208, 232, 241, 242, 243, 247, 248, 259, and 269 below.

58. Contrary to Respondent's claim that he did not order cost of prosecution because it is illegal, the evidence shows that Respondent deliberately chose when he would follow a plea agreement or when he would not. Paragraphs 88, 144, 176, 184, 222, 254 below (cases involving a charge of drunk driving), and the cases set forth in paragraph 55 above (cases that do not involve a charge of drunk driving) are cases where Respondent abided by the plea agreement and ordered costs of prosecution. The cases identified in paragraph 33 above are cases where Respondent did not abide by the plea agreement and order costs of prosecution.

59. Respondent stated that he never altered or deleted a SOS abstract and that he did not have access to SOS computers to change its records. Information entered into the court's JIS system is sent to the SOS in appropriate cases. The SOS relies on the data submitted from the court to establish and maintain their

records. As set forth in Count 2 above and the factual allegations below, Respondent entered or ordered his staff to enter information into the court's JIS system and into the SOS system that is false or inaccurate, and deliberately failed to send or ordered his staff not to send information to the SOS that the law requires be sent.

60. Respondent stated falsely that Respondent only sent new information to the SOS to inform of change of circumstances in a case, such as setting aside a plea so there is no longer a conviction. As set forth in Count 2 above and the factual allegations below, Respondent removed or deleted abstracts in many cases where the conviction was not set aside, often months or years after the conviction. Further, Respondent's claim that pleas were set aside with the prosecution concurrence is false. In most cases, the prosecutor was completely unaware of Respondent's actions.

61. Respondent has a long established pattern of ordering abstracts stopped for convictions that should abstract. Respondent's action in ordering an abstract stopped means that information that should be sent to the SOS is not sent. The result is that convictions that should appear on a person's SOS driving record do not appear. Respondent's actions also prevented the SOS from accurately assessing driver responsibility fees as required by law (MCL 257.732a.) Respondent's response fails to acknowledge that he has consistently and repeatedly

taken action that prevents the SOS from receiving information from the court that the law requires be sent.

62. Respondent claims in his response that he did not violate MCL 772.1 *et seq* when Respondent has ordered peace bonds for five years. MCL 772.4 (2) authorizes a five-year period for peace bonds. Respondent claimed the peace bonds imposed were additional terms of sentences under MCL 769.6 on persons “convicted” before Respondent rather than under MCL 772.4. Respondent claimed to follow MCL 769.6 but admitted that he violated that statute because he was ignorant of the two-year limitation under that statute. The peace bonds Respondent imposed were not imposed as a condition in an order of judgment and sentence but as a separate document. Respondent cited neither statute in the peace bond document or on the court file as the authority under which Respondent imposed the peace bond.

As indicated in Count 6 above, Respondent imposed a peace bond in case 074179FY on Jerry Gary. Mr. Gary was charged with No Account Check (MCL 750.131A1) a two-year felony. On November 13, 2007, a preliminary examination was held and the charge dismissed. Respondent fined the defendant after holding him in contempt for an outburst. On November 29, 2007, Respondent approved and served defendant with a peace bond effective November 27, 2007, and expiring November 27, 2012. Contrary to Respondent assertion in his response

that peace bonds were imposed as additional terms of sentences on persons convicted before Respondent, Respondent imposed a peace bond in this case on a person who was not convicted upon an indictment for any offense not punishable with death or by imprisonment as required by MCL 769.6, but was held in contempt of court. The peace bond document used in this case is in the same form of those used in the previously cited cases. Respondent's response regarding peace bonds was false and misleading.

FACTUAL ALLEGATIONS

63. Respondent dismissed or waived fines and costs on four parking tickets for himself:

- a. 02JC60218A, parking in fire lane or within 15 feet of a fire hydrant, fines and costs suspended after explanation on January 7, 2003, after a default judgment was generated and a bench warrant issued on December 17, 2002. Attachment 1 is a copy of the Register of Action (ROA).
- b. 03JP183393, prohibited parking, dismissed, fines and costs suspended October 30, 2003. Attachment 2 is a copy of the ROA.
- c. 04J188591A, unlawful stopping, standing, and parking, dismissed after explanation, fines and costs suspended May 4, 2004. Attachment 3 is a copy of the ROA.
- d. 04J188592A, unlawful stopping, standing, and parking, dismissed after explanation, fines and costs suspended May 4, 2004. Attachment 4 is a copy of the ROA.

64. Respondent dismissed five traffic tickets for Kim Justin, his wife:

- a. 09J164864A Speeding 5 over limit on October 9, 2009. Respondent wrote, "Dismissed after explanation" on the ticket. Attachment 5 is a copy of the ticket and the court's Register of Actions (ROA).
- b. 06J135144A for Defective Equipment dismissed on November 9, 2006. Attachment 6 is a copy of the ROA.
- c. 00JP72168A for Speeding 10 over limit, dismissed November 30, 2000, per the register of actions "dismissed after explanation." Attachment 7 is a copy of the ROA.
- d. 00JP72961A for Disobey Stop Sign, dismissed December 6, 2000, per the register of actions "dismissed after explanation." Attachment 8 is a copy of the ROA.
- e. 99JP59585A for Speeding 9 over limit, dismissed November 22, 2000, per the register of actions "dismissed after explanation." Attachment 9 is a copy of the ROA.

65. On May 17, 2010, Respondent dismissed a speeding ticket given to his court officer, David Lynn Warnsley, case 10J171657A. Mr. Warnsley was cited for speeding on May 13, 2010, in the City of Jackson. Respondent dismissed it, wrote on it "Dismissed after explanation" and initialed it. Respondent had his court recorder Alicia Windmon enter the dismissal into the court's Judicial Information System (JIS), with the false notation "Dismissed on motion of Prosecuting Attorney." There was no such motion. Attachment 10 is a copy of the ticket and the ROA.

66. Respondent dismissed a ticket for his court recorder, Alicia Windmon, case 08BT78573A. Ms. Windmon received a ticket for Speeding 5 over the limit

on March 9, 2008. On March 14, 2008, Respondent dismissed the ticket, wrote, “Dismissed after explanation” on the ticket and initialed it. Attachment 11 is a copy of the ticket and the ROA.

67. In case 09286OD, Joseph Abbs pled guilty guilty to operating while visibly impaired-alcohol (impaired), reduced from Operating while Intoxicated (OWI), with a plea agreement to pay \$200 Cost of Prosecution (COP). Respondent did not order the COP January 27, 2010, failing to abide by the plea agreement.

68. In case 091004JPB, Nathan Adams pled guilty to disturbing peace reduced from obstruction of officers with a plea agreement to pay \$50 COP. Respondent did not order the COP, June 29, 2009, failing to abide by the plea agreement.

69. In case 0933OD, Rachel Alexander pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$200 COP. Respondent did not order the COP June 17, 2009, failing to abide by the plea agreement.

70. In case 09JC38456A, Douglas Andrews, Respondent, without the prosecutor’s authorization, dismissed a ticket for speeding 19 over limit, noting in the ROA “dismissed by party, prosecutor moved to dismiss after explanation” on November 30, 2009.

71. In case 09J160646B, Julie Andrews pled guilty to fail to report accident reduced from fail to stop and identify after P.I. accident, with a plea

agreement to dismiss the A ticket for DWLS and pay \$50 COP. On October 23, 2009, contrary to his assertion in his response to the Commission's 28-day letter that he refused to abide by plea agreements by ordering COP because it was illegal to do so, Respondent ordered the COP (as Respondent did repeatedly as set forth in paragraphs below).

72. In case 08NV4672A, Matthew Bartkowiak pled guilty to DWLS October 3, 2008. Respondent stopped the abstract contrary to MCL 257.732 (and violative of this statute every time he did it as set forth repeatedly below). On July 1, 2009, Respondent ordered \$50 COP per the plea agreement. Defendant defaulted in 08NV4672B Speeding 10 over on January 30, 2008. Respondent ordered the default abstract removed February 2, 2010, contrary to MCL 257.732 (and violative of this statute ever time he did it as set forth repeatedly below). On February 2, 2010, defendant pled guilty to DWLS in case 10JC3804A and Respondent ordered the abstract stopped.

73. In case 09SP2217A, Richard Bashore pled guilty to fail to report accident reduced from failure to stop at scene of property damage accident-attended with a plea agreement to pay \$50 COP. Respondent ordered \$50 COP per the plea agreement on January 14, 2010.

74. In case 09018OD, Angela Bean pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$200 COP. Respondent did not order the COP April 15, 2009, failing to abide by the plea agreement.

75. In case 09217OD, Jeffrey Behm pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$200 COP. Respondent did not order the COP January 8, 2010, failing to abide by the plea agreement.

76. In case 09BT82083A, Carl Berggen pled guilty to pedestrian on highway where sidewalk provided with a plea agreement to dismiss 091205BT, possession of controlled substance paraphernalia, and pay \$50 COP. Respondent did not order the COP on December 3, 2009, failing to abide by the plea agreement.

77. In case 09BT82176B Christopher Bianco pled guilty to improper plates with a plea agreement to dismiss the A ticket for DWLS and pay \$50 COP. Respondent ordered the COP on October 29, 2009.

78. In case 09J167916A Anthony Boleware pled guilty to DWLS and Respondent ordered the abstract stopped on February 2, 2010. On the same day, Respondent ordered the abstracts removed noting “by agreement of the parties” from cases 05J119740A, Judge Mazur’s case, in which defendant pled guilty to DWLS pled guilty and was sentenced March 10, 2005, and case 05J116733A,

Judge Fallahee's case, in which defendant pled guilty to DWLS and was sentenced March 17, 2005.

79. In case 08J148475A, Danny Boley pled guilty to Improper Plates reduced for DWLS with plea agreement to pay \$150 COP. Respondent did not order the COP on July 31, 2009, failing to abide by plea agreement.

80. In case 09J165391B, Latasha Bonaparte admitted responsibility to no proof of insurance, and Respondent ordered the abstract stopped November 16, 2009. The A ticket for DWLS was dismissed per the plea agreement.

81. In case 091862BTA, Donald Bortell pled guilty count 1 possession of open alcohol in public, with a plea agreement to dismiss count 2 resisting or obstructing officer in discharge of duty, and pay \$50 COP. Respondent did not order the COP on November 5, 2009, failing to abide by the plea agreement.

82. In case 09J167098A, Brandon Bowlby pled guilty March 8, 2010 to no operator's license on person reduced from DWLS and an abstract was generated. Respondent ordered the abstract removed March 31, 2010, noted "sent in error."

83. In case 06129OD, Luke Bressette pled guilty to impaired, reduced from OWI, with a plea agreement to dismiss count 2 possession of controlled substance paraphernalia and pay \$200 COP. Respondent did not order the COP March 5, 2009 failing to abide by the plea agreement.

84. In case 100225BTD, Brett Brockie pled guilty to two counts of disturbing the peace reduced from disorderly-obstruct/resist/impede/hinder/oppose police and disorderly-loud noise/annoy/disturb public peace, with a plea agreement to pay \$50 COP. Respondent ordered the COP March 25, 2010.

85. In case 09J157966A, Melissa Brooks pled guilty to improper plates reduced from DWLS, with agreement to pay \$50 COP. Respondent did not order the COP March 16, 2009, failing to abide by the plea agreement.

86. In case 091048S, Ryan Broughton was found guilty of resisting or obstructing officer in discharge of duty after a bench trial on September 24, 2009. Respondent delayed sentencing then removed the disposition and dismissed the case January 14, 2010, without the authorization of the prosecutor.

87. On January 6, 2010, in case 071933JP, Joshua Brown, Respondent dismissed count 1, false information-providing false information to police (disguising) without the prosecutor's authorization when defendant pled guilty to count 2, possession drug paraphernalia.

88. In case 091700D, Kyra Budd pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$200 COP. Respondent ordered the COP December 17, 2009.

89. In case 09J160080A, Jermaine Buckner pled guilty to improper plates reduced from DWLS, with a plea agreement to pay \$50 COP. Respondent did not order the COP November 10, 2009, failing to abide by the plea agreement.

90. In case 09220OD, Christy Burgett pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$100 COP. Respondent did not order the COP December 23, 2009, failing to abide by the plea agreement.

91. In case 08J156222B, Kevin Burke pled guilty improper plates, reduced from DWLS and to 0903331SM operating license –forgery/alteration/false ID with 08J1562220A, defective equipment and C, expired plates dismissed and payment of \$50 COP. Respondent did not order the COP June 8, 2009, failing to abide by the plea agreement.

92. In case 08J154221A, Tyler Bushinski, Respondent dismissed the driving while license expired ticket October 6, 2009, without the prosecutor's authorization, noting "defendant paying B & C tickets." Defendant defaulted on the B ticket for expired plates/registration and the C ticket for no proof of insurance on August 25, 2008, and had not paid anything as of October 6, 2009, and still owes the fines and costs.

93. On February 9, 2010, Respondent dismissed the case 09E125351A, Baron Calloway, charged fail to stop at scene of property damage accident attended vehicle without the prosecutor's authorization. Respondent ordered the

ROA to say falsely “dismissed by party, dismissed on motion of prosecuting attorney, pros moved to dismiss per plea.”

94. In case 091954BT, Travis Carlisle, the plea agreement was to dismiss the charge of littering for payment of \$50 COP. Respondent ordered the COP and dismissed the case December 3, 2009.

95. In case 06J134904A, Natasha Carr pled guilty to DWLS December 3, 2007, and Respondent ordered the abstract stopped. Respondent then ordered approximately sixteen adjournments until sentence on June 7, 2010.

In case 081214JP, Respondent ordered approximately six adjournments from September 4, 2008 until trial held February 23, 2009. Defendant was found guilty at trial, and Respondent ordered the abstract stopped, and then ordered approximately seven adjournments until a warrant entered March 18, 2010 to June 7, 2010. Defendant was sentenced on June 7, 2010.

96. In case 09109OD, Peter Carroll pled guilty to impaired, reduced from OWI; defendant also admitted responsibility on 09J157587A disobey traffic signal, with a plea agreement to pay \$200 COP. Respondent did not order the COP, July 8, 2009, failing to abide by the plea agreement.

97. In case 09J164291B, Rashawn Cervantes pled guilty to no proof of insurance. Respondent ordered the abstract stopped October 8, 2009. Respondent

dismissed the A ticket for DWLS without the prosecutor's authorization on October 8, 2009.

98. On February 9, 2009, Respondent dismissed tickets 09J157834A, DWLS and B, defective equipment, for defendant Jamie Chapman without the prosecutor's authorization. On April 26, 2010, Respondent dismissed case 10J170396B, no proof of insurance, without the prosecutor's authorization and ordered that defendant be given time to pay the A ticket for expired plates/registration after an ex parte communication with the defendant as outlined in Count 3 above.

99. In case 09BT82477A, Justin Chapman pled guilty to DWLS and Respondent ordered the abstract stopped October 20, 2009.

100. In case 100061BT, Kyle Chesney pled guilty to possession of marijuana, reduced from possess/deliver marijuana or controlled substance without a prescription, with a plea agreement to dismiss count 2, disorderly, and sentence including no jail, and pay \$50 COP. Respondent did not order the COP May 5, 2010, failing to abide by the plea agreement.

101. On January 5, 2010, Respondent dismissed case 092203JP, Michael Clark, charged cruelty to animals, without the prosecutor's authorization. Respondent wrote on the court file "dismissed after explanation-wrong section of

code referenced on ticket.” The ticket properly referenced Jackson City Code section 4.2 which is cruelty to animals.

102. In case 09J167241B, Mitchell Connell admitted responsibility for the charge speed 5 over limit and paid the fine on December 17, 2009, and an abstract was generated. Respondent ordered the abstract removed January 22, 2010, and wrote “sent in error.”

103. In case 09BT81899A, Ashley Cooper pled guilty to DWLS, and Respondent ordered the abstract stopped November 20, 2009. On November 20, 2009, Respondent dismissed the B ticket for no proof of insurance, and entered into the JIS “vehicle is insured.”

In case 10J167975A, Ashley Cooper pled guilty to DWLS and Respondent ordered the abstract stopped February 17, 2010. On February 17, 2010, Respondent dismissed the B ticket for no proof of insurance, and entered into the JIS “insurance shown.”

104. In case 09057OD, Michael Cornstubble pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$200 COP. Respondent did not order the COP October 8, 2009, failing to abide by the plea agreement.

105. In case 08JC29507A, Steven Cox pled guilty to DWLS, and Respondent ordered the abstract stopped October 28, 2009

In case 09BT81314A, Steven Cox pled guilty to DWLS, and Respondent ordered the abstract stopped October 28, 2009.

106. In case 09J163696A, Charity Cramer pled guilty to DWLS, and Respondent ordered the abstract stopped December 31, 2009.

In case 09J164281B, on December 31, 2009, Respondent dismissed the case, charged DWLS, in violation of the plea agreement which was to reduce the charge in both cases to improper plates with defendant paying \$100 COP. Respondent did not order the COP.

107. In case 09008OD, Kylee Crawford pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$200 COP. Respondent did not order the COP March 20, 2009, failing to abide by the plea agreement.

108. In case 09J160324B, Rachel Creech pled guilty to improper plates, reduced from DWLS, with a plea agreement to pay \$100 COP which Respondent ordered October 5, 2009; the A ticket, speeding 5 over, was dismissed per the plea agreement. Defendant also pled on case 08J148813A to improper plates reduced from DWLS with agreement to pay \$50 COP which was included in the \$100 COP order on the above case.

109. In case 09076OD, Michael Cross pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$200 COP. Respondent did not order the COP September 29, 2009.

110. In case 09SP2375A, Erik Dawson-Baglien pled guilty to count 2, possession of marijuana, with no objection to 333.7411; count 1, operating with presence of drugs dismissed; and pled guilty on the B ticket to impeded traffic, reduced from disobey stop sign with plea agreement to pay \$100 COP. Respondent did not order the COP April 14, 2010, failing to abide by the plea agreement.

111. In case 100132BT, Justin DeGregorio pled guilty to possession of marijuana, and the prosecutor dismissed 10BT84373A, no operator's permit and B no proof of insurance, and recommended 333.7411, with a plea agreement to pay \$50 COP. Respondent did not order the COP on July 14, 2010, failing to abide by the plea agreement.

112. The prosecutor agreed to dismiss case 092158JP, Antonio Dorsette charged MIP upon payment of \$50 COP which Respondent ordered December 14, 2009.

113. In case 06J131898A, Diesireh Drayton was charged with No license, never applied. In case 06J135451A, defendant was charged with improper plates and on the B ticket, DWLS. Respondent adjourned both cases approximately twenty-one times from April 2007 until January 8, 2010. On January 8, 2010, Respondent dismissed both cases without the prosecutor's authorization, and

entered into the Judicial Information System (JIS) “dismissed defendant obtained TIP” (TIP is temporary instruction permit.)

114. In case 06BT67701A, Frank Dubay pled guilty to DWLS October 10, 2006, and an abstract was generated. On March 21, 2007, Respondent entered into the JIS “abstract dated 10-10-06 removed judgment set aside.” In case 07J148617A, defendant pled guilty to DWLS and Respondent ordered the abstract stopped July 17, 2008.

115. Respondent dismissed case 09J168145A, Davada Edwards, charged temporary instruction permit violation, and the B ticket, no operator’s license on person, on January 22, 2010 without the prosecutor’s authorization. Respondent entered into JIS for both tickets “dismissed after explanation.” After the traffic section sent the tickets back to Respondent for clarification, Respondent wrote on the ROA card “pled guilty & F/C \$100 per Judge Justin” dated 1/20/10.

116. In case 09202OD, Adam Emmons pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$200 COP. Respondent did not order the COP December 9, 2009, failing to abide with the plea agreement.

117. In case 10BT 84081A, Jessica Essex pled guilty to improper plates, reduced from driving while license expired. The plea agreement was for plea to driving while license expired in this case and a plea on case 100050BT to Possession of Marijuana (with 333. 7411), reduced from count 2 possess/deliver

marijuana or controlled substance without a prescription, dismiss count 1 fleeing and eluding officer, with payment of \$50 COP. Respondent did not order the COP and reduced the charge to improper plates without authorization, failing to abide by the plea agreement.

118. In case 09063OD, Alicia Fisher pled guilty to impaired, reduced from OWI with a plea agreement to dismiss count 2, open intoxicants in motor vehicle-driver, and count 3, minor in possession of alcohol and pay \$200 COP. Respondent did not order the COP August 25, 2009, failing to abide by the plea agreement.

119. Michael Fleming pled guilty to DWLS in cases 09J160425A and 09JC35863A. Respondent ordered the abstracts stopped in each case, December 22, 2009.

120. In case 09SP2215A, Chad Fox pled guilty speeding 5 over with a plea agreement to dismiss the B ticket, violation of license restriction, and pay \$50 COP. Respondent ordered the COP on November 19, 2009.

121. In case 09J162630A, Celestino Gaitan pled guilty to improper plates reduced from violation of license restrictions with a plea agreement to dismiss case 09I314JP disorderly-urinating or defecating in public and pay \$50 COP. Respondent ordered the COP on August 10, 2009.

122. In case 10004OD, Christy Gallaway pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$200 COP. Respondent did not order the COP on March 31, 2010, failing to abide by the plea agreement.

123. In case 07NV4651A, Charles Garcia pled guilty to DWLS on December 21, 2007. Respondent ordered the abstract stopped. Respondent adjourned sentencing seven times to June 15, 2010. On June 16, 2010, Respondent closed the case without sentencing defendant.

124. In case 09BT82260A, Andrew Gattshall admitted responsibility to drove without due care or caution, with a plea agreement to dismiss case 092245BT, two counts of CCW violations and pay \$50 COP. Respondent ordered the COP February 25, 2010.

125. In case 09J166317A, Jessica Gettig pled guilty to improper plates, reduced from DWLS, with a plea agreement to dismiss the B ticket, expired plates/registration and the C ticket, no proof of insurance and pay \$50 COP. Respondent did not order the COP March 1, 2010, failing to abide by the plea agreement.

126. In case 09J165595A, Alaster Gibbons pled guilty to improper plates, reduced from DWLS with a plea agreement to dismiss cases 09J163566A, DWLS, 09J167136A, operating without a valid license and B, expired plates/registration,

and 09J160849B, DWLS and pay \$150 COP. Respondent ordered the COP December 22, 2009.

127. Respondent dismissed numerous cases for defendant Golden Roy Gibson, Jr. In case 03JP91152A, charge speeding 10 over the limit, defendant defaulted and an abstract was generated April 10, 2003. On April 11, 2003, Respondent deleted the abstract and suspended the fines and costs. In case 021675SM, charged with two dog counts Respondent fined defendant only \$10 on August 15, 2002. In case 031241SM, defendant was charged with two dog violations. Defendant pled guilty, and Respondent closed the case with no sentence on June 17, 2003. Respondent dismissed case 051162SM, four dog violation counts, without the prosecutor's authorization on August 1, 2005, yet continued to enter adjourned dates to January 30, 2010 into JIS. Respondent dismissed case 06BT6336A, no proof of insurance, on January 31, 2006, ordering that "proof shown" and "fines and costs suspended" be entered into JIS. Respondent dismissed case 07JC16167A, improper turn, without the prosecutor's authorization, and ordered "dismissed after explanation, fines and costs suspended" be entered into JIS on November 9, 2007. Respondent dismissed case 07J148991A, no plates, on January 18, 2008, without the prosecutor's authorization, ordering that "dismissed after explanation" be entered into the JIS. Respondent dismissed case 09D915889A, Limited access speeding 21 over limit,

on April 16, 2009, without the prosecutor's authorization, ordering that "dismissed after explanation" be entered into the JIS.

128. In case 100126BT, Bryan Gilbreath pled guilty nolo contendere to count one, disorderly- window peeping, and count three, resisting or obstructing officer in discharge of duty with a plea agreement to dismiss count two, trespassing and pay \$50 COP. Respondent did not order the COP on April 4, 2010, failing to abide by the plea agreement.

129. On January 15, 2010, in case 10J168213A, Robert Gilhouse was charged with drove while license expired. Respondent adjourned the case from January 19, 2010, six times until December 13, 2010, without disposition. Respondent dismissed the B ticket, no proof of insurance, without the prosecutor's authorization on March 10, 2010, entering "insurance cert shown" into the JIS, and violating MCL 257.328 and MCL 257.907, which require a person to present valid proof of insurance that was in effect at the time of the violation before the appearance date on the citation. The appearance date for this citation was January 28, 2010. Respondent has repeatedly violated these statutes as set forth in other paragraphs.

130. In case 091058BT, Joseph Gill pled guilty to resisting or obstructing officer in discharge of duty, with a plea agreement to delayed sentence and dismissal and pay\$50 COP. Respondent ordered the COP June 25, 2009.

131. Timothy Glen pled guilty to Retail Fraud 3rd Degree on May 13, 2009, in case 090329 SM. Respondent adjourned sentencing approximately sixty times until June 7, 2010. Many adjournments were for one day. On June 7, 2010, Respondent ordered the case closed this case with the notation “graduated high school.” After his plea on May13, 2009, defendant was charged with retail fraud two more times. In case 091491BT OM defendant pled guilty to retail fraud on August 12, 2009. Respondent sentenced defendant to nine months probation and fined him \$540 on September 18, 2009. In case 100341 SMA, defendant pled guilty nolo contendere to retail fraud on April 1, 2010, and Respondent sentenced him June 7, 2010 to 24 months probation and fined him \$900.

132. In case 05J116550A, Raeshawn Goodall pled guilty to DWLS. Respondent ordered the abstract stopped January 8, 2010. Also on January 8, 2010, Respondent dismissed case 06J136916A, DWLS, entering “sister used name” into the JIS.

133. In case 08J150406A, DWLS, and B, reckless driving, Darold Goodloe, Respondent dismissed the tickets without the prosecutor’s authorization on October 23, 2009, entering into JIS “dismissed as defendant sentenced to prison.” Respondent also waived the fines and costs in case 081012JP, trespassing, on October 23, 2009, ordering “F & C waived as def served prison time” be entered into JIS. Defendant was paroled from prison on September 22, 2009.

134. In case 09J165013A, David Goolsby pled guilty to improper plates reduced from DWLS with a plea agreement to pay \$100 COP. Respondent did not order the COP on December 14, 2009, failing to abide by the plea agreement. The plea agreement authorized defendant to plead to improper plates reduced from DWLS in case 09J165350A, but Respondent dismissed the case in violation of the plea agreement on December 14, 2009. Respondent also waived fines and costs after explanation for defendant in case 09J158493B, improper display of license plates.

135. In case 08BT80530A, Katie Gordon pled guilty to improper plates reduced from DWLS with a plea agreement to pay \$50 COP. Respondent ordered the COP on December 17, 2009. In case 08BT80530B, no proof of insurance, defendant defaulted October 27, 2008. On October 21, 2009, Respondent ordered the default disposition and abstract removed, and wrote that the “vehicle was insured” and ordered the \$25 fines and costs. Respondent’s actions violated MCL 257.732, MCL 257.328, and MCL 257.907, as Respondent has done repeatedly as set forth in other paragraphs.

136. In case 09J162291A, Briana Gray pled guilty to DWLS. Respondent ordered the abstract stopped on October 16, 2009. In case 09J162291C no proof of insurance, defendant defaulted and an abstract was generated July 6, 2009. Respondent ordered the abstract removed October 16, 2009, and wrote “vehicle

was insured.” On August 17, 2010, Judge Klaeren requested that the abstract dated July 6, 2009 be corrected and reentered.

137. In case 09J164381A, Joshua Greiner , the plea agreement was to dismiss the charge of expired plate/registration upon payment of \$25 COP. Respondent ordered the COP and dismissed the case October 19, 2009.

138. In case 10N31408A, Darren Gronski was charged with DWLS. Respondent dismissed the ticket without the prosecutor’s authorization on February 2, 2010. Defendant pled guilty to the B ticket, improper plates the same day.

139. In case 09102BT, Leslie Hall, the prosecutor’s plea agreement was to dismiss the charge of retail fraud upon payment of \$50 COP. Respondent ordered the COP and dismissed the case December 3, 2009.

140. In case 09227OD, Tristan Ham pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$200 COP. Respondent did not order the COP December 23, 2009, failing to abide by the plea agreement.

141. Lakrecia Hardrick-Chambers defaulted and a default abstract was generated on March 30, 2009, in case 09JC3097C, no proof of insurance. On January 10, 2010, Respondent ordered the abstract removed and wrote “insurance cert shown.”

142. In case 090506SU, Christopher Harris pled guilty to disorderly reduced from possession of marijuana, with a plea agreement to delay sentence and dismiss and to pay \$100 COP. Respondent did not order the COP on September 10, 2009, or on October 21, 2009, failing to abide by the plea agreement. Respondent dismissed and closed the case February 24, 2010.

143. In case 09E086524A, Larry Harris pled guilty to DWLS on March 18, 2010, before Judge Filip, and an abstract was generated. Respondent ordered the abstract removed April 14, 2010, and wrote, "abstract sent in error." Respondent sentenced defendant on May 19, 2010. In case 10J170015A expired license, defendant pled guilty and was sentenced March 18, 2010, before Judge Filip, and an abstract was generated. Respondent ordered the abstract removed April 14, 2010, and wrote, "abstract sent in error."

144. In case 092800D, James Hayden pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$200 COP. Respondent ordered the COP February 1, 2010. The charge was further reduced to careless driving April 12, 2010, after defendant completed requirements per the plea agreement.

145. In case 08J152369A, Robert Heath pled guilty to improper plates, reduced from DWLS, with a plea agreement to pay \$50 COP. Respondent did not order the COP on November 4, 2009, failing to abide by the plea agreement.

146. Respondent dismissed case 09JC36869A, disobey traffic control device: ran amber light, for defendant Angela Hengesbaugh, without the prosecutor's authorization on November 20, 2009, and wrote "dismissed after explanation."

147. On August 21, 2009, Chelsea Hitchcock pled guilty to DWLS in three cases, 09D743422A, 095159570A, and 09N31692A. Respondent ordered all three abstracts stopped that day. On December 22, 2009, defendant pled guilty to DWLS in case 09JC36494A and Respondent ordered the abstract stopped. Defendant was on deferred sentence to Respondent at the time of all the pleas in case 080854SUA for possession of marijuana and minor in possession of alcohol (MIP). Defendant pled guilty on July 17, 2008, and was on probation until revoked on March 2, 2010.

148. In case 09126OD, Trenton Hodges pled guilty to count 1 impaired, reduced from OWI and pled guilty to count 3 MIP with a plea agreement to dismiss count 2 MIP and pay \$200 COP. Respondent did not order the COP July 22, 2009, failing to abide by the plea agreement.

149. In case 09J164337A, Ashley Holda, the prosecutor's plea agreement was to dismiss the charge of DWLS upon payment of \$50 COP. Respondent ordered the COP on November 30, 2009.

150. On September 16, 2009, Respondent dismissed case 091666JP, possession of a dangerous weapon for Adam Holm without the prosecutor's authorization. Respondent ordered that "dismissed by order of the court, dismissed after exp." be entered into JIS. In case 09JC7719A, defendant plead guilty to DWLS on September 16, 2009, and Respondent ordered the abstract stopped. Defendant also pled guilty to DWLS in case 09J165076A and an abstract was generated. In case 10010 OD, defendant pled guilty to impaired, reduced from OWI, and pled guilty to DWLS on February 8, 2010. Respondent ordered the abstract for the DWLS conviction stopped. Defendant was on probation to Respondent from a plea to MIP on February 26, 2008 until discharged February 25, 2010.

151. In case 091800CT Michael Holt, the prosecutor's plea agreement was to plea to count one burning without a permit with a delayed sentence and dismissal, and to dismiss count two nuisance fire with a payment of \$50 COP. Respondent ordered the COP December 3, 2009.

152. In case 09J162085A, Randall Hoover pled guilty to improper plates reduced from DWLS, with a plea agreement to pay \$50 COP. Respondent did not order the COP June 22, 2009, failing to abide by the plea agreement.

153. In case 09J160015A, Brandon Hoszkiw pled guilty to improper plates, reduced from DWLS, with a plea agreement to pay \$150 COP. Respondent

ordered the COP November 9, 2009. In case 09J162161B, defendant pled guilty to improper plates, reduced from DWLS. Defendant defaulted on the A ticket, improper turn, on March 30, 2009 and an abstract was generated. On April 8, 2009, Respondent ordered the disposition and abstract removed “abstract sent in error.” Defendant paid the fines and costs on September 28, 2009.

154. In case 10J169652A, Joseph Hubbard pled guilty to impeded traffic reduced from disobey traffic control device: ran red light, with a plea agreement to dismiss the B ticket, fail to yield and pay \$100 COP. Respondent ordered the COP March 31, 2010.

155. In case 09060OD, Joseph Hubbell pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$100 COP. Respondent did not order the COP June 10, 2009, failing to abide by the plea agreement.

156. In case 091655JP Jeffrey Hunt pled guilty to count two disturbing the peace with agreement to a delayed sentence and dismissal and a plea agreement to dismiss count one disorderly-urinating and count three obstruction of officers and payment of \$200 COP. Respondent ordered the COP November 17, 2009.

157. In case 100231BT, Martin Ickes pled guilty to count two disturbing the peace, with a plea agreement to dismiss count 1 public intoxication and pay \$100 COP. Respondent did not order the COP on March 11, 2010, failing to abide by the plea agreement.

158. In case 07JC10538A, Ashley Ingram was charged with DWLS and pled not guilty October 26, 2007. Respondent ordered approximately seven adjournments until February 13, 2009 (warrant February 6 to February 13, 2009). Defendant pled guilty February 13, 2009, and Respondent ordered the abstract stopped. Respondent adjourned the sentencing approximately seven times until March 5, 2010. In case 08LT16662A, DWLS, defendant pled guilty on May 27, 2008. Respondent ordered the abstract stopped. Respondent adjourned the case approximately fourteen times until March 5, 2010.

159. In case 09J157941A, Lionel Jackson pled guilty to improper plates, reduced from DWLS, with a plea agreement to pay \$50 COP. Respondent did not order the COP on April 13, 2009, failing to abide by the plea agreement.

160. In case 100339BT, Sade Jackson pled guilty to disturbing the peace reduced from disorderly-obstruct /resist/impede/hinder/oppose police, with a plea agreement to dismiss count two, urinating or defecating in public and pay \$50 COP. Respondent did not order the COP on April 22, 2010, failing to abide by the plea agreement.

161. In case 09J161439A, Elijah Jenkins, charged with operating without a valid license, Respondent dismissed the case on October 27, 2009, without the prosecutor's approval, and entered "dismissed after explanation" into the JIS. Defendant defaulted on the B ticket for no proof of insurance on March 11, 2009,

and an abstract was generated. Respondent removed the abstract on May 12, 2009, and entered “vehicle was insured” into the JIS. Respondent dismissed case 09JC31020A, operating without a valid license, on October 27, 2009, without the prosecutor’s approval and entered “dismissed by party” into JIS.

162. In case 071947SM, count 1, DWLS 2nd; count 2, unregistered vehicle, Ellis Johnson was arraigned November 13, 2007. Respondent adjourned the case five times until July 17, 2008. There was a warrant from August 1, 2008, to April 7, 2009. Respondent then adjourned the case five times to December 8, 2009, when defendant pled guilty to count one and count two was dismissed. Respondent ordered the abstract stopped. Respondent adjourned the sentence six times until September 24, 2010.

163. In case 09J157450A, Catherine Jones pled guilty to drove while license expired on December 23, 2009. Respondent ordered the abstract stopped. Respondent dismissed the B ticket, flashing red/yellow light violation, on December 23, 2009, without the prosecutor’s authorization, and entered “dismissed after explanation” into JIS.

164. In case 09E502615A, Michael Kelly was charged with operating without valid license. Respondent dismissed the case without the prosecutor’s authorization on October 22, 2009. Defendant was arraigned on the warrant in case 0906148FY charged with Robbery Unarmed on October 22, 2009.

165. Respondent dismissed case 10J168181A, Latoria King, operating violation of license restrictions, without the prosecutor's authorization on March 8, 2010. Respondent entered "dismissed by party" into JIS. Defendant had pled guilty to impaired, reduced from OWI on October 26, 2009, before Respondent and still owed fines as of August 2010.

166. Respondent dismissed case 09J165287A, Samantha Lavelly, charged DWLS, and the B ticket, improper plates, without the prosecutor's authorization on October 15, 2009. Respondent entered "dismissed after explanation" into JIS on the B ticket. In case 09J159508A, DWLS defendant pled guilty June 5, 2009, and Respondent ordered the abstract stopped. In case 09J159484A, DWLS, defendant pled guilty June 5, 2009, and Respondent ordered the abstract stopped. Defendant also pled guilty to no operator's license on person in case 09J161001B on June 5, 2009 and an abstract was generated June 8, 2009.

167. Respondent dismissed case 10JC39327A, drove while license expired, and B, too fast for conditions for defendant Bobby Lee without the prosecutor's authorization. Defendant wrote on the ticket "dismissed after explanation."

168. In case 091951BT, William Lees, the prosecutor's plea agreement was to plea to public intoxication with a delayed sentence and dismissal and payment of \$50 COP. Respondent did not order the COP on December 3, 2009, and dismissed the case January 4, 2010, failing to abide by the plea agreement.

169. On November 6, 2009, James Lemar pled guilty to drove while license expired in case 095163794A, and pled guilty to DWLS in case 095165264A. Respondent ordered both abstracts stopped.

170. Respondent dismissed case 10E125098A, DWLS, defendant Robert Lewis on February 10, 2010, without the prosecutor's authorization. Chief Judge Mazur reviewed the ticket with Respondent, and Respondent admitted the ticket was improperly dismissed. Respondent dismissed case 09J159476B, defective equipment on May 21, 2009, without the prosecutor's approval, and entered "dismissed after explanation" into JIS. In case 09J159476A defendant pled guilty to DWLS on May 21, 2009 and an abstract was generated. Respondent ordered the abstract deleted on November 9, 2009, and wrote "abstract sent in error." Respondent adjourned sentencing until February 23, 2010, when Respondent waived fines and costs. In case 09J160325A defendant pled guilty to DWLS on November 9, 2009, and Respondent ordered the abstract stopped. Respondent adjourned sentencing until February 23, 2010, when Respondent waived fines and costs.

171. In case 09N32036A & B, Gerald Leyland admitted responsibility to the B ticket, fail to yield, with a plea agreement to dismiss the A ticket for fail to stop after collision w/attended or unattended vehicle and payment of \$50 COP.

Respondent did not order the COP on December 10, 2009, failing to abide by the plea agreement.

172. In case 09086OD, Shawn Logan pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$200 COP. Respondent did not order the COP on October 7, 2009, failing to abide by the plea agreement.

173. In case 08D920968A, Terrell Lowery was charged with DWLS. Respondent adjourned the arraignment from June 24, 2008, until August 11, 2008; there were warrants from August 15, 2008, until April 6, 2009. On April 6, 2009, defendant pled guilty and an abstract was generated. Respondent set sentencing for December 9, 2009, then adjourned it until December 16, 2009, when Respondent sentenced the defendant. On December 9, 2009, Respondent ordered the abstract from April 6, 2009, removed and wrote, "abstract sent in error."

174. In case 091731BTE, Christina Loviska was charged with MIP. The plea agreement allowed defendant to plea to a disorderly violation with an agreement to a delayed sentence and dismissal and payment of \$50 COP. Respondent ordered the COP January 28, 2010.

175. Respondent dismissed case 09JC37706A, Justin Lutes, charged DWLS, without the prosecutor's authorization on March 2, 2010. Respondent entered "dismissed by party dismissed at pros request" into JIS.

176. In case 09213OD, William Luzius pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$200 COP, which Respondent ordered December 9, 2009.

177. In case 071066SM, Justin Mackenzie pled guilty to MIP on March 10, 2008. Respondent adjourned sentencing approximately thirty-five times until July 15, 2010. Case was closed on July 23, 2010 by Judge Mazur.

178. In case 09188OD, Michael Maga pled guilty to impaired, reduced from OWI, with a plea agreement to pay \$200 COP. Respondent did not order the COP December 21, 2009, failing to abide by the plea agreement.

179. In case 09J164049A, Maria Maitland pled guilty to DWLS on January 28, 2010, and Respondent ordered the abstract stopped. Defendant defaulted on the B ticket no proof of insurance on September 30, 2009, and an abstract was generated. Respondent ordered the abstract removed January 28, 2010, and wrote “vehicle was insured.” In case 10JC37824A, defendant pled guilty to improper plates, reduced from DWLS on April 12, 2010. Defendant defaulted on the B ticket, no proof of insurance on March 2, 2010, and an abstract was generated. Respondent ordered the abstract removed April 12, 2010, and wrote “by agreement of parties,” but left on the fines and costs. In case 10J170752A, defendant pled guilty to improper plates, reduced from DWLS April 12, 2010.

180. In case 091855WTC George Mallinger pled to disturbing the peace reduced for furnish/sell/give alcohol to minor, intoxicated or disorderly person, with a plea agreement to dismiss count two trespassing and pay \$50 COP, which Respondent ordered October 22, 2009.

181. In case 07J145313A, speeding 5 over limit, Jourdan Mallonee-Cole defaulted September 4, 2007, and an abstract was generated. Respondent ordered the abstract removed September 25, 2008, ordering “pros moved to dismiss” be entered into JIS. In case 07BT75671A (DWLS), Respondent dismissed the matter without any lawful authority to do so, notating that it was in the best interests of justice. Respondent dismissed 09SU7681A (DWLS) without any lawful authority to do so on September 17, 2009. Case 09J164137A, one count of open intoxicants driver, was dismissed pursuant to a plea agreement, and a default judgment was entered on August 18, 2009, on a second charge of failing to signal. Respondent ordered the abstract removed as “sent in error” on October 20, 2009. Defendant admitted responsibility in case 09PS09306A to impeded traffic reduced from speeding 5 over limit, with a plea agreement to pay \$300 COP, which Respondent ordered May 13, 2010.

182. Ryan Manhard in case 091855WTA, pled to count 1 MIP, with a plea agreement to dismiss count 2 trespassing and pay \$50 COP which Respondent ordered November 12, 2009.

183. In case 09J164018A, Rashell Manson pled guilty on November 9, 2009, to improper plates (reduced from DWLS), pursuant to a plea agreement to pay \$50 COP. Respondent did not order the \$50 COP November 9, 2009, failing to abide by the plea agreement.

184. Shawn Marlow pled in case 09234OD, to impaired reduced from OWI, with a plea agreement to dismiss count 2 DWLS and count 3 drove while license not valid and pay \$200 COP, which Respondent ordered June 9, 2010.

185. In case 09J159383A, Araceli Marquez pled guilty on April 24, 2009, to DWLS. Respondent stopped the abstract. In case 09J159383B, no proof of insurance, defendant defaulted May 6, 2009, and an abstract was generated. Respondent ordered the abstract removed September 11, 2009, and wrote “vehicle was insured.”

186. Brandon Mashke in case 091855WTB, pled guilty to count 1 MIP, with a plea agreement to dismiss count 2 trespassing and pay \$50 COP, which Respondent ordered November 12, 2009.

187. Respondent dismissed multiple cases without prosecutor’s authorization for defendant Cynthia May. In cases 02JC61801B (no proof of insurance) and 02JC61801C (cracked windshield) default judgments were entered on February 19, 2002. On March 4 and 5, 2002, Respondent ordered that fines and

costs be waived and had “as def repaired” and “as def had ins.” entered into JIS (the notations were incorrectly entered into the wrong tickets.)

In case 03JC71872A (disobey traffic signal), Respondent dismissed the matter after an explanation, March 4, 2003.

In case 04S62549A (no proof of insurance), Respondent dismissed the matter after an explanation May 28, 2003.

In case 5JC100554A (speeding 10 over limit), a default judgment and abstract was entered on January 3, 2006. Respondent then removed the abstract, entered “abstract sent in error” into JIS on January 10, 2006, and waived the fines and costs after an explanation.

In case 07JC14179A, a default judgment and abstract was entered on September 27, 2007, for speeding 5 over limit. Respondent removed the abstract (and entered “abstract sent in error” into JIS) on October 8, 2007, set the default aside, and dismissed the matter after explanation.

In case 09JC37410A speeding 5 over limit, and B, no proof of insurance, Respondent dismissed the matter after an explanation December 15, 2009.

188. In case 090274JPA, Kelsey McClung pled guilty on March 6, 2009, to simple larceny. On October 6, 2009, Respondent dismissed the matter, without

lawful authority or consent of the prosecutor, notating that the delay terms had been met.

189. In case 09155OD, Patrick McKnight pled guilty on November 17, 2009, to impaired driving (reduced from OWI), and a second count (open intoxicant in motor vehicle) was dismissed, pursuant to a plea agreement. Respondent did not order the \$200 COP that was part of the plea agreement.

190. In case 09J162900A, Keith McLeain pled guilty on December 7, 2009, to DWLS, and the charges against him in 09J167829A,B,C were dismissed as part of a plea agreement. Respondent then ordered the abstract stopped.

191. In case 10BT84610A, Jacob Mead pled guilty on May 6, 2010, to one count of impaired driving (reduced from operating with presence of drugs), and two other counts (possess/deliver marijuana or controlled substance without prescription, and possession controlled substance paraphernalia) were dismissed pursuant to a plea agreement. Respondent did not order the \$50 COP that was part of the plea agreement.

192. In case 08J152837A, Barbara Mercer pled guilty on November 14, 2008, to DWLS and an abstract was generated. Respondent ordered the abstract removed on December 30, 2009, writing “abstract sent in error.”

193. Lisa Murphy in case 091286BTB, pled to disorderly with agreement to delayed sentence and dismissal and pay \$50 COP, which Respondent ordered September 17, 2009.

194. Respondent dismissed without authority case 09E083970A, DWLS Moshin Nahdi, and had “dismissed by party dismissed on motion of prosecuting attorney pros moved to dismiss per plea” entered into JIS. Defendant had no other cases and there was no plea agreement to dismiss.

195. For Michael Neal in case 091840LT, the plea agreement was to dismiss MIP upon payment of \$50 COP, which Respondent ordered December 17, 2009.

196. Nicole Nelson pled in case 09J161314B, improper plates reduced from DWLS, for payment of \$50 COP, which Respondent ordered June 16, 2009. In case 08J157554A, defendant pled to improper plates reduced from DWLS, for payment of \$50 COP, which Respondent ordered April 13, 2009; the B and C tickets were dismissed per the plea agreement. Respondent adjourned case 09JC28150A (DWLS), twelve times from April 13, 2009, to July 12, 2010, (warrant from September 15, 2009 to November 24, 2009) when a warrant was entered. Defendant pled to improper plates and was sentenced September 22, 2010, by Judge Filip. Respondent adjourned the arraignment in case 09J162399A (DWLS) from July 17, 2009, until September 15, 2009, when a warrant was

entered until November 24, 2009, and then ten more times to July 12, 2010, when a warrant was entered. Defendant pled and was sentenced September 22, 2010, by Judge Filip.

197. Doreen Nethers pled in case 09BT83179A, to improper plates reduced from DWLS, for payment of \$50 COP, which Respondent ordered December 3, 2009.

198. In case 08152OD, Michelle Noll pled guilty on March 18, 2009 to impaired driving, reduced from OWI. Respondent did not order the \$200 COP that was part of the plea agreement.

199. Jordan Oliver in case 080997BTB, pled guilty on August 11, 2008, to retail fraud. Respondent adjourned the sentencing approximately eighteen times, finally sentencing the defendant on March 19, 2010, to three days in jail with credit for three days. In case 09J153686A, defendant pled guilty to DWLS on August 17, 2009, and Respondent ordered the abstract stopped. Respondent adjourned the case approximately seven times to March 5, 2010, and sentenced defendant March 19, 2010, to three days in jail with credit for three days. In case 091634BTD, the defendant pled guilty on October 8, 2009, to minor in possession. Respondent adjourned the sentencing five times, finally sentencing the defendant on March 19, 2010, to three days in jail with credit for three days.

200. In case 081382JP, Shacara Oliver pled guilty on October 10, 2008, to simple larceny. There were warrants from November 17, 2008, to April 28, 2009, October 23, 2009, to November 4, 2009, and March 3, 2010, to March 4, 2010. Respondent adjourned sentencing approximately twenty-eight times to June 18, 2010, when he waived fines and costs and closed the case. In case 090900BT, the defendant pled nolo contendere to disguising with intent to obstruct execution of law, and was sentenced May 1, 2009. There were approximately twenty adjournments (noted on the ROA as adjourned for sentencing) after that date. In case 09J167701A, the defendant was charged with DWLS. Respondent dismissed the case without the prosecutor's authorization on January 14, 2010. In case 09J1602280B, no proof of insurance, defendant defaulted June 3, 2009, and an abstract was generated. Respondent ordered the abstract removed January 14, 2010, noting vehicle was insured, but leaving on the fines and costs. In case 09J159244A, the defendant pled guilty to improper plates on January 14, 2010. Respondent waived the fines and costs on June 18, 2010.

201. In case 09N25375A, Chabbu Owens pled to impede traffic from speed 16 over; and in case 10N32301A, pled to limited access speeding 5 over reduced from speed 10 over with plea agreement to pay \$50 COP. Respondent did not order the COP on February 22, 2010, failing to abide by the plea agreement. In case 09J165755A, defendant pled guilty to impeded traffic reduced from disobey

traffic control device, for payment of \$50 COP, which Respondent ordered on October 26, 2009.

202. In case 10J169294A, Brenda Pariseau pled guilty on February 22, 2010, to DWLS. Respondent ordered the abstract stopped.

203. In case 08J154113A, Kiera Parker pled guilty on June 8, 2009, to driving while license not valid or improper license and an abstract was generated. Respondent ordered the abstract removed on December 28, 2009, noting “abstract sent in error.”

204. In case 09J160133A, Michael Parker pled guilty on October 13, 2009, to improper plates (reduced from DWLS). Respondent did not order \$50 COP that was part of the plea agreement.

205. In case 09083OD, Christopher Parks pled guilty on November 4, 2009, to impaired driving (reduced from OWI). Respondent did not order \$200 COP that was part of the plea agreement.

206. In case 023336 SM, Patrick Patnode pled guilty on July 1, 2003, to DWLS. Respondent ordered the abstract stopped. Respondent adjourned the matter approximately twenty-eight times for sentencing (warrants October 16, 2006 to April 25, 2007 and August 20, 2009 to November 6, 2009.) Defendant was sentenced November 6, 2009. Respondent adjourned the case for defendant to pay until June 4, 2010. On June 18, 2010, Respondent waived fines and costs and

closed the file. In case 07D738538A ST, the defendant pled guilty on July 3, 2008, to DWLS. Respondent ordered the abstract stopped.

207. Kristen Pauli pled in case 10J169715A to improper plates, reduced from DWLS, with a plea agreement to dismiss the B and C tickets and pay \$50 COP, which Respondent ordered May 3, 2010.

208. In case 09321OD, Richard Pearson pled guilty on March 30, 2010, to impaired driving (reduced from OWI). Pursuant to a plea agreement, Respondent dismissed the remainder of the charges: count 2 (drove while license not valid or improper license), count 3 (open intoxicants in motor vehicle), and count 4 (possession of controlled substance paraphernalia). Respondent did not order the \$200 COP that was part of the plea agreement.

209. In case 070883SM, Jeffery Poole, Respondent adjourned the defendant's arraignment on a charge of DWLS 2nd at least eight times. The arraignment was originally set for July 26, 2007, but Respondent adjourned it until October 2, 2008, when defendant pled guilty. Respondent ordered the abstract stopped. Sentencing was adjourned seven times until August 11, 2010. Defendant was sentenced on August 18, 2010, by Judge Mazur and an abstract generated. In case 8J151075A, the defendant pled guilty on June 3, 2009, to DWLS. Respondent ordered the abstract stopped. Respondent adjourned the sentence to

August 11, 2010. Defendant was sentenced on August 18, 2010, by Judge Mazur and an abstract generated.

210. On March 8, 2010, in cases 06J132042A and 09J165903A, Lavonne Porter pled guilty to improper plates (reduced from DWLS), and charges of no registration and no proof of insurance were dismissed. Respondent did not order the \$50 COP that was part of the plea agreement.

211. In case 09E503885A, Daniel Prajzner pled guilty on December 7, 2009, to DWLS. Respondent ordered the abstract stopped. In case 08BT80553A, defendant pled impaired, reduced from OWI, on December 11, 2008, (sentenced January 14, 2009) and was on probation to Respondent until discharged January 22, 2010.

212. In case 09J163182A, Shalonda Pulley pled guilty on November 2, 2009, to improper plates (reduced from DWLS) and pled to impeding traffic reduced from speeding 5 over limit. The charge of no proof of insurance was dismissed. Respondent did not order the \$50 COP that was part of the plea agreement.

213. Roscina Ragland pled in case 99B455872A, to DWLS on January 11, 2000. Respondent adjourned the case multiple times until on December 27, 2004, he dismissed the case noting, "dismissed in interests of justice." In case 00JP61997A, DWL expired and B, no proof of insurance, FAC/FCJ/FCPV notice

generated for both tickets December 8, 2000. Respondent cleared the notices January 24, 2001. Respondent then dismissed case 01JP67210A, DWLS, noting “should not have been suspended” and dismissed the B ticket, improper plates, “dismissed after explanation” on January 24, 2001.

In case 041953SM, the defendant pled guilty on October 5, 2004, to DWLS 2d. Respondent ordered the abstract stopped. On March 11, 2005, Respondent reopened the case, set the disposition aside and dismissed it, upon payment of costs, all done without lawful authority.

In case 05D184436A, the defendant pled guilty on February 24, 2005, to Driving While License expired. Respondent removed the abstract on December 6, 2005, “abstract sent in error.”

Respondent dismissed case 06J137839A, DWLS, noting “dismissed as susp removed.” In case 07BT76874A, the defendant admitted responsibility to speeding 5 over limit and pled guilty to DWLS on the B ticket. Respondent stopped the abstracts in these matters on May 14, 2008 and April 27, 2009, respectively.

In case 08J150421A, Respondent stopped the abstract after defendant pled guilty to DWLS on April 27, 2009.

Case 090975LT Dale Moretz v. Roscina Ragland and Derrick Ragland was a landlord-tenant case assigned to Judge Klaeren, as set forth in greater detail in Count 7.

214. In case 06N26645A, Thomas Rauh pled guilty May 6, 2006, to DWLS. Respondent ordered the abstract stopped and set the sentencing nearly six months later to November 11, 2006, then adjourned sentencing sixteen times until June 2, 2010. Respondent then gave defendant until December 30, 2010 to pay the fines and costs.

215. In case 08LT18753A, Holly Raymond pled guilty on March 18, 2009, to no valid operator's license (reduced from DWLS). Respondent ordered the abstract removed on January 25, 2010, writing "by agreement of the parties."

216. In case 05J125021A, Jamal Reese pled guilty on November 29, 2005, to improper plates (reduced from DWLS). Non-appearance warrants delayed sentencing approximately twenty-three months, but Respondent adjourned sentencing at least twenty-one times. On July 22, 2010, Respondent set aside the previous disposition without any lawful authority. Defendant pled guilty to no valid operator's license on person, and Respondent waived fines and costs.

217. In case 09E124497A, David Reiman, limited access speeding 5 over, admitted responsibility and paid on August 13, 2009. Respondent dismissed the B

ticket DWLS without the prosecutor's authorization, on October 13, 2009 noting "dismissed by party."

218. Respondent dismissed case 09BT81758B, license: violation of instruction permit, for defendant Kayla Reynolds, without the prosecutor's authorization, noting "dismissed after explanation." Defendant defaulted and paid the A ticket fail to yield. In case 09J167001A, the defendant pled guilty on January 15, 2010, to DWLS. Respondent ordered the abstract stopped and waived fines and costs. In case 092052JP, false information-providing false info to police (disguising) defendant pled guilty November 20, 2009, and Respondent waived fines and costs. Defendant pled guilty in case 091042JP on May 29, 2009, and to MIP in case 091807JP to MIP on September 25, 2009. Respondent adjourned both sentencings multiple times to May 21, 2010.

219. In case 092120JP, Brandon Riba pled guilty to simple larceny. Respondent delayed sentencing and then dismissed the matter, without the authority of the prosecutor.

220. For Tyler Riske, case 091478BT, retail fraud was dismissed upon payment \$50 COP, which Respondent ordered December 10, 2009.

221. In case 091037JP, Richard Rocha pled guilty on July 13, 2009, to count 2 (possession of controlled substance paraphernalia), and count 1 (possession

of marijuana) was dismissed. Respondent did not order the \$50 COP that was part of the plea agreement.

222. Kathie Rochefort, in case 09289OD, pled to impaired, reduced from OWI, with plea agreement to pay \$200 COP, which Respondent ordered January 12, 2010.

223. On December 31, 2009, Leura Rosecrants pled guilty to DWLS in case 09J166596A. The abstract was generated on January 4, 2010, and Respondent ordered it removed on March 3, 2010 as having been “sent in error.” Also on March 3, 2010, Respondent set the previous disposition aside and reopened the case. Defendant pled guilty again and Respondent sentenced defendant. Defendant also pled to no operator’s license on person, reduced from DWLS, in case 09SU34734A on December 31, 2009, and Respondent sentenced her that date.

224. In case 09J166266A, Daryl Ross, was charged with DWLS, on the B ticket with no proof of insurance, and on the C ticket with expired plates/registration. Respondent dismissed all tickets, without lawful authority and without a hearing on October 26, 2009, notating “invalid stop” on the registers of action for the B and C tickets. In case 09J166582A, pursuant to a plea agreement, the defendant pled guilty on December 10, 2009, to DWLS. Respondent ordered the abstract stopped. Pursuant to that agreement, Respondent dismissed charges of

defective equipment, no proof of insurance, and, in case 09J166583A (same ticket) expired plates.

225. In case 071989JPA, Tasha Rudd pled guilty on September 10, 2007, to Minor in Possession of Alcohol. Respondent deferred sentencing under MCL 436.1703. Respondent adjourned the case approximately twenty-four times until May 20, 2010. In case 08J149858A, the defendant pled guilty on November 14, 2008, to DWLS and Respondent ordered the abstract stopped. Respondent adjourned the sentencing multiple times until May 19, 2010. Defendant defaulted on the B ticket no proof of insurance and the C ticket no registration on person on July 16, 2008, and Respondent removed the abstract for the B ticket November 12, 2008, as “sent in error.” Respondent adjourned both tickets multiple times.

In case 08JC21006A, defendant pled to DWLS on November 14, 2008, and Respondent ordered the abstract stopped. Respondent adjourned the case approximately fourteen times until May 19, 2010, when he sentenced the defendant. In case 09J162293A, defendant pled to DWLS July 2, 2009, and Respondent ordered the abstract stopped. Respondent adjourned the sentencing approximately eight times until May 19, 2010. Respondent dismissed the B ticket for violation of child restraint law on July 2, 2009, and entered into JIS “showed car seat.”

226. Respondent dismissed multiple cases for Paul Rumler upon payment of costs without the prosecutor's authorization. In case 01026SM, DWLS 2d, defendant pled guilty July 12, 2001, and Respondent dismissed the case August 20, 2001, upon payment of costs. In case 012103SM, DWLS 2d, defendant pled guilty July 10, 2001, and Respondent dismissed the case August 20, 2001, upon payment of costs. In case 01JP80228B, no proof of insurance, defendant defaulted July 9, 2001, and paid on July 12, 2001. Respondent removed the abstract July 26, 2001, and entered "sent in error" into JIS. In case 02S60935A, DWLS, Respondent dismissed upon payment of costs March 9, 2002.

In case 04JC90446A, the defendant pled guilty on October 22, 2004, to DWLS. Respondent ordered the abstract stopped. On September 28, 2005, Respondent dismissed the matter upon payment of costs, all done without any legal authority.

In case 04SU81075A, the defendant pled guilty on October 22, 2004, to DWLS and Respondent ordered the abstract stopped. On September 28, 2005, Respondent dismissed the matter upon payment of costs, all done without any legal authority. In case 05SU3377A, the defendant pled guilty on September 21, 2005, to DWLS. Respondent ordered the abstract stopped. On September 28, 2005, Respondent dismissed the matter upon payment of costs, all done without any legal authority. Defendant pled guilty to DWLS on October 25, 2007, in case

06JC01864A and Respondent ordered the abstract stopped. In case 09LT19035A, DWLS, Respondent dismissed the case without authority October 8, 2009.

227. In case 07JC16805A, Raini Ryan defaulted on December 26, 2007, for seat belt violation (driver) and the B ticket no proof of insurance. On September 3, 2008, Respondent removed the abstract for the B ticket, “judgment set aside.” On September 17, 2008, Respondent waived the fines and costs “after explanation” for both tickets.

In case 081068JPC, the defendant pled guilty on September 3, 2008, to simple larceny. Respondent then adjourned the matter approximately twenty-one times until it was finally dismissed on motion of the prosecutor on May 24, 2010.

In case 09J164190A, fail to stop within assured clear distance ahead, Respondent defaulted the defendant on February 22, 2010, when she failed to appear. Respondent dismissed the B ticket for no proof of insurance on February 23, 2010, without authority. Respondent adjourned the C ticket for DWLS multiple times until December 13, 2010. The matter was removed to Judge Filip’s docket on August 25, 2010. In case 09BT82779A, Respondent adjourned this DWLS matter multiple times to December 13, 2010. The matter was removed to Judge Filip’s docket on August 25, 2010.

In case 09JC31249A, Respondent adjourned this DWLS matter approximately eleven times to December 13, 2010. The matter was removed to Judge Filip's docket on August 25, 2010.

228. In case 081068JPA, Synita Ryan pled guilty on September 3, 2008, to simple larceny. Respondent adjourned the matter over forty times to May 14, 2010. The matter was dismissed on motion of the prosecutor on May 17, 2010.

229. In case 08151970C, Murphy Sallee pled guilty on August 4, 2008, to improper plates (reduced from DWLS). Respondent ordered \$50 COP, per the plea agreement, and dismissed one count of no proof of insurance. The defendant was defaulted on the charge of no registration on person. In case 08150388A, the defendant pled guilty on August 11, 2008, to improper plates (reduced from DWLS). Respondent ordered \$50 COP, per the plea agreement. In case 05J122635B, on April 25, 2005, defendant defaulted and a default abstract was generated for violation of the basic speed law. However, on October 19, 2006, Respondent removed the April 25, 2005, abstract.

230. Respondent dismissed case 09JC37264A, defendant Brent Sanders, failed to maintain equipment on February 3, 2010, noting repair made. The case was assigned to Judge Klaeren who had arraigned the defendant January 25, 2010, and who took a plea and sentenced defendant on the B ticket February 22, 2010.

231. In case 091715LT, defendant Dustin Sanford, the plea agreement was to dismiss the charge of disturbing the peace upon plea to case 09LT19043A defective equipment and payment of \$50 COP. On September 10, 2009, an officer signed off on the defective equipment charge and it was dismissed with no fines or cost. On November 19, 2009, Respondent dismissed 091715LT and ordered \$150 fine but did not order the COP, failing to abide by the plea agreement.

232. In case 09049OD, Thomas Sawyer, pled guilty on June 10, 2009, to impaired driving (reduced from OWI). Respondent did not order the \$200 COP that was part of the plea bargain.

233. In case 06JC04466A, Genina Smith pled guilty to DWLS. Respondent stopped the abstract on July 10, 2008. On October 2, 2008, Respondent waived fines and costs. In case 06JC04466B, the defendant was defaulted on November 13, 2006, for disobeying a traffic signal. Respondent set aside the conviction without the prosecutor's authority and removed the abstract on October 2, 2008, and waived fines and costs. In case 06JC04466C, no proof of insurance, the defendant was defaulted on November 13, 2006. Respondent dismissed the closed case and removed the abstract on July 10, 2008, noting that the "vehicle was insured."

On November 6, 2009, Respondent dismissed "after explanation," without authority case 09J166271A, DWLS and the B ticket no proof of insurance. On

November 6, 2009, in case 09J166272A, without authority Respondent dismissed the charge of speeding 10 over limit, after an explanation. (Defendant's first name is misspelled as "Genian.") In case 09JC33972A (defective equipment), a default was entered on July 13, 2009, and fines and costs were waived after explanation on November 6, 2009.

234. In case 06J137847A (no valid license on person), Jasmine Smith admitted responsibility on May 5, 2009. Respondent stopped the abstract. There were multiple adjournments to January 10, 2010, when Respondent waived costs and fines "as defendant got license" as Respondent entered into JIS. In case 06J129889A operating without a valid license, the defendant pled guilty on May 5, 2009. Respondent stopped the abstract. There were multiple adjournments to January 10, 2010, when Respondent waived costs and fines "as defendant got license" as Respondent entered into JIS. In case 07JC17406A (DWLS), the defendant pled guilty on May 5, 2009. Respondent stopped the abstract. There were multiple adjournments to January 22, 2010, when Respondent sentenced defendant. In case 09J160045A, DWL expired, defendant pled guilty and Respondent stopped the abstract on May 21, 2009. The sentencing was adjourned multiple times. In case 09J163610A (DWLS), Respondent dismissed the charges without authority on January 22, 2010, and Respondent entered "defendant obtained license" into JIS.

235. In case 09J165653A (DWLS), without authority from the prosecutor, Respondent dismissed the matter for Rhonda Smith on October 20, 2009, Respondent entering “defendant admitted to B & C tickets” into JIS.

236. Shelby Smith pled guilty to DWLS on July 27, 2006, in case 06D563164A. Respondent stopped the abstract, and then granted three adjournments. A warrant for non-appearance was issued September 17, 2007 and cancelled January 22, 2008, when defendant walked into court. Respondent adjourned the sentencing thirteen more times, with a warrant from May 4 to May 11, 2010. Respondent adjourned the case to September 1, 2010. On August 18, 2010, Judge Mazur removed the case from Respondent’s docket.

237. In case 09J162051A, Tabatha Smith pled guilty to DWLS on April 29, 2009. Respondent stopped the abstract and adjourned sentencing approximately nine times to March 30, 2010, (warrant from December 17, 2009 to January 13, 2010.) In case 09J162162B, defendant pled guilty on April 29, 2009, to DWLS. Respondent stopped the abstract and adjourned sentencing approximately nine times to March 30, 2010. In case 09BT79986A, defendant pled guilty to DWLS on April 29, 2009. Respondent stopped abstract and adjourned sentencing approximately nine times to June 17, 2010. Respondent waived the fines and costs. In case 09BT82961A, Respondent dismissed another charge of, DWLS, without lawful authority, on January 13, 2010.

238. In case 09SP2406A, Joshua Soper pled to impeding traffic reduced from speeding 11 over limit. Respondent imposed \$50 COP per the plea agreement on January 28, 2010 and dismissed a charge of expired plates.

239. In case 100142JP, Timothy Speer pled guilty to count two (possession of controlled substance paraphernalia). Respondent dismissed count one (possession of marijuana) and imposed \$50 COP per the plea agreement on April 12, 2010. Defendant also pled to improper plates reduced from DWLS in case 10J167268A in same plea agreement.

240. Respondent without authority dismissed case 09JC30464B, Emma Stacy, no operators license on person on September 28, 2009, and entered “dismissed after explanation” into JIS. Defendant defaulted on the C ticket, no proof of insurance, on April 8, 2009. On September 28, 2009, Respondent ordered the abstract removed and waived the fines and costs after explanation, and noted “vehicle was insured.” Defendant also pled to four counts of dog violations on September 28, 2009, case 091039SM.

241. In case 10035OD, Demario Stanley pled guilty to impaired driving, reduced from operating with presence of drugs. Respondent did not order the \$200 COP that was part of the plea agreement, May 6, 2010. Respondent also dismissed 09J166551A & B, DWLS and expired plates/registration as part of the plea agreement.

242. In case 09177OD, Gregory Starcher pled guilty on December 16, 2009, to impaired driving, reduced from OWI. Respondent did not order the \$200 COP that was part of the plea agreement.

243. In case 09114OD, Kathleen Sterett pled guilty on July 22, 2009, to impaired driving, reduced from OWI. Respondent did not order the \$200 COP that was part of the plea agreement.

244. In case 09J160001A, Ryan Stiles pled guilty on August 10, 2009, to improper plates, reduced from DWLS. Respondent did not order the \$50 COP that was part of the plea agreement.

245. On August 20, 2009, Tyler Stone pled guilty to impeding traffic (reduced from disobey traffic signal) in case 09BT81297A, and in case 091216BT, pled guilty to possession of controlled substance paraphernalia with agreement to a delayed sentence and dismissal. Respondent did not order the \$50 COP that was part of the plea agreement.

246. Charles Suddeth was defaulted on February 16, 2010, for speeding 5 over limit in case 10J168224A. Respondent ordered the abstract removed on March 2, 2010, as having been sent in error and dismissed the case after explanation.

247. In case 10015OD, Jan Taylor pled guilty to impaired driving, reduced from OWI, on March 10, 2010. Respondent dismissed count 2 (drove while

license not valid or improper license) but did not assess the \$200 COP which was part of the plea agreement.

248. In case 09176OD, Rafe Tenney pled guilty to impaired driving, reduced from OWI, on November 17, 2009. Respondent did not assess the \$200 COP which was part of the plea agreement.

249. In case 9J166521A, Edward Tokarski pled guilty to improper plates (reduced from DWLS), on March 1, 2010, and Respondent ordered \$50 COP as required by the plea agreement. The B and C tickets with charges of disobeying traffic control device and defective equipment were dismissed. In case 09J167079A, the defendant pled guilty to DWLS on November 16, 2009. Respondent ordered the abstract stopped. Respondent waived fines and costs on March 1, 2010, "by agreement of the parties." In case 09J165789A, the defendant pled guilty to DWLS on November 16, 2009. Respondent stopped the abstract.

250. On May 6, 2010, in case 100225BTC, Respondent ordered Drew Tomasello to pay \$100 COP upon dismissal of disorderly-obstruct/resist/impede/hinder/oppose police charges as per the plea agreement.

251. In case 081469SU, Erik Treciak pled guilty on October 21, 2008, to disorderly person. Respondent adjourned the sentencing date approximately nineteen times until August 19, 2010, (warrant from April 19 to April 26, 2010).

252. On November 19, 2007, Jessy Vaughn pled guilty in case 07152OD to driving while visibly impaired (reduced from OWI; count 2 – DWLS – was dismissed). Respondent sentenced the defendant on January 8, 2008, and defendant was discharged from probation unsuccessfully on December 23, 2009, after he failed to pay the fines. Respondent waived the fines and gave the defendant credit for jail time on December 23, 2009. On March 11, 2009, without authority, Respondent dismissed the charges of DWLS in case 08J155271A, entering “license not suspended” into JIS and in case 09D915683A entering “dismissed after explanation” into JIS.

On February 22, 2010, defendant pled guilty to three cases of DWLS in files 09J159923A, 09J163741A, and 09J165299A. Respondent stopped the abstract in each case.

253. In case 09BT81653A, Respondent ordered Jamar Vester to pay \$20 COP on March 4, 2010, and then \$30 COP on June 4, 2010, upon dismissal of a charge of DWLS as per the plea agreement.

254. In case 10N32173A, Reggie Waldfogel had his OWI charge dismissed for in return for his plea on a reduced charge in 10N32173Z (limited access speeding 10 over). Respondent ordered \$100 COP on March 23, 2010, as per the plea agreement.

255. In case 10J170073A, Lawrence Walker pled guilty to improper plates (reduced from DWLS). The Respondent ordered the defendant to pay \$50 COP on June 14, 2010, as per the plea agreement. Defendant also pled in case 10J170023A, to improper plates (reduced from DWLS). The Respondent ordered the defendant to pay \$50 COP on June 14, 2010, as per the plea agreement.

256. In case 081068JPB OM, Eboni Watson pled guilty on September 3, 2008 to simple larceny. Respondent adjourned the sentencing date approximately ten times until July 19, 2009 when Respondent waived fines and costs and closed the case because defendant was in Florida.

257. In case 090795JP, Toni Wheeler pled guilty on May 8, 2009, to failure, neglect or refusal to file tax return, and paid \$125 sentence. On October 14, 2009, Respondent ordered the plea and disposition removed and the complaint dismissed, and ordered a refund of \$125 in response to a letter dated May 20, 2009, that Respondent received from Barbara Headen Duncan, who indicated she was defendant's mother. She stated among other things that Respondent was her friend and had visited her house. She asked for Respondent's help. Respondent sent Ms. Duncan a letter dated October 14, 2009, notifying her of his actions. There was no hearing and Respondent did not inform or consult with the prosecutor.

258. In case 100225BTB, Amelia Weller, Respondent ordered \$100 COP on May 6, 2010 and dismissed the charge of disorderly-obstruct/resist/impede/hinder/oppose police as per the plea agreement.

259. Wayne White, Jr. pled guilty to impaired driving (reduced from OWI) in case 09089OD and in case 09J160250A the charge of no proof of insurance was dismissed. Respondent did not order the \$200 COP that was part of the plea agreement.

260. In case 012248BT, Bobby Wicks pled guilty on April 8, 2002, to OUIL/UBAL, amended from resisting or obstructing officer in discharge of duty. Respondent sentenced him on May 14, 2002; Respondent has repeatedly adjourned the case which remains open to pay. In case 04N30776A, the defendant pled guilty on December 28, 2004, to DWLS. Respondent stopped the abstract. Respondent adjourned sentencing approximately forty times until June 18, 2010, when Respondent waived the fines and costs. In case 05JC94099A, the defendant pled guilty on September 14, 2006, to DWLS. Respondent stopped the abstract. Respondent adjourned sentencing approximately twenty-five times until Respondent waived the fines and costs on June 18, 2010.

Defendant also had seven other traffic or misdemeanor case since the 2001 case.

261. On March 29, 2010, Respondent ordered Eric Wilkie to pay \$25 COP in 10J169727A upon dismissal of an improper plates charge as per the plea agreement.

262. In case 09J164061A, Jennifer Willard pled guilty on July 12, 2010, to improper plates, reduced from DWLS. Respondent did not order the \$50 COP that was part of the plea agreement. Respondent adjourned the pre-trial approximately eight times between August 7, 2009, and July 12, 2010. In case 09SU7799A, Respondent also the adjourned pre-trial approximately eight times between August 12, 2009 and July 12, 2010. The defendant pled guilty on July 12, 2010, to no valid operator's license on person, reduced from DWLS. On June 30, 2010, the defendant was defaulted on the B ticket, speeding in a construction zone 11-15 over limit, also adjourned from August 12, 2009.

263. Darlette Williams pled guilty on April 4, 2005, to DWLS in case 05JC94351C, was sentenced and the case closed. Defendant also pled the same day to on the A and B tickets to expired plates and cracked windshield – defective equipment and the cases were closed. On June 1, 2010, Respondent reopened the DWLS case, entered that the disposition was set aside and the case dismissed on motion of the prosecuting attorney as defendant had pled guilty to 050600SM. Defendant had pled on to providing false information to police, reduced from operating-license forgery/alteration/false ID in 050600SM also on April 4, 2005.

That same day, defendant was sentenced to 60 days in jail, and the ROA noted that the sentence includes 05JC94351A-C. The case was closed April 6, 2005. On June 3, 2010, Respondent ordered the abstract from April 4, 2005, plea to DWLS removed, “by agreement of the parties.”

264. On October 14, 2009, Ladale Williams pled guilty in case 090988JP to use of marijuana (reduced from possession of marijuana). Respondent did not order the \$50 COP that was part of the plea agreement.

265. Marvell Williams pled guilty to Domestic Violence on October 11, 2004, in case 042120 SM. Defendant was scheduled for sentencing on November 3, 2004, but Respondent adjourned the sentence and set a bond for defendant with protective provisions. The sentencing was adjourned five times until February 27, 2006, when, instead of sentencing defendant, Respondent entered into the LEIN a peace bond on defendant with review set for February 1, 2011. The ROA does not reflect that defendant has been sentenced, but Respondent wrote “F & C waived-post peace bond” on the court file, dated 2-1-06.

266. On March 5, 2010, Respondent dismissed case 10JC39217A, disobey stop sign for Yasmine Williams without authority, noting “dismissed after explanation.” Defendant admitted responsibility on the B ticket to defective equipment on March 9, 2010.

267. On December 7, 2005, Tacarra Wilson (then Tacara Hurst) pled guilty and was sentenced before Judge Mazur in case 05JC93815A, no license, never applied. The defendant paid off fines on March 9, 2007. On February 7, 2008, Respondent set the judgment aside and removed the abstract without authority. On December 7, 2005, the defendant pled guilty to DWLS and was sentenced before Judge Mazur in case 05J125544A. The defendant paid fines off April 19, 2007. On August 11, 2008, Respondent set the judgment aside and removed the abstract without authority.

On February 18, 2009, the defendant pled guilty to seven different cases of DWLS in files 070882SM, (DWLS 2d), 071822SM, 08J146294A, 08J150493A, 08JC17548A, 08D866526A, 08J153830A. Respondent stopped the abstract in each case. The cases had been adjourned multiple times. Sentencing was adjourned on the last five cases to June 1, 2009, when Respondent waived fines and costs in all five cases. Respondent adjourned the two 2007 cases multiple times until November 6, 2009, when he sentenced defendant.

Respondent dismissed without the prosecutor's authorization case 08J150493B, improper plates, on December 22, 2008, entering "dismissed as vehicle was plated" into JIS. The defendant was defaulted in case 08JC17548B, no proof of insurance, on May 21, 2008. Respondent removed the abstract on August

11, 2008, (entering “judgment set aside” into JIS) and waived the fines and costs on December 22, 2008.

On November 14, 2008, the defendant pled guilty to larceny in case 081335JPB. Respondent adjourned sentencing approximately twenty-one times (warrant March 3 to March 4, 2010) until March 4, 2010.

On May 1, 2009, the defendant pled guilty in case 09159006B to DWLS. Respondent sentenced her that same day, stopped the abstract, and waived fines and costs. Defendant also admitted responsibility on the A ticket to expired plates. On May 1, 2009, the defendant pled guilty in case 090429SM, to count one, driving failure to maintain security, and to count two, operating suspended, revoked, denied. Respondent stopped the abstract. On June 1, 2009, Respondent waived the fines and costs.

On November 6, 2009, the defendant pled guilty in case 09159600A to DWLS. Respondent stopped the abstract. Respondent sentenced her on March 8, 2010. She was also defaulted on May 26, 2009 and again June 18, 2009, for expired plates on the B ticket. On the C ticket, no proof of insurance, defendant defaulted May 26, 2009, and on June 1, 2009, Respondent ordered the abstract removed, and removed the default. Defendant defaulted again June 18, 2009.

268. In case 10BT84616A, Timothy Wollet pled guilty on April 14, 2010, to DWLS. Respondent stopped the abstract. Respondent dismissed the B ticket for no proof of insurance, noted “proof shown.”

269. In case 09077OD, Leanne Wright, pled guilty on August 19, 2009, to impaired driving, reduced from OWI. Respondent did not order the \$200 COP which was part of the plea agreement.

270. On April 15, 2010, Jeremy Jason York pled guilty to Operating While Visibly Impaired by Alcohol in case 10BT84338A. On May 19, 2010, Respondent requested that his clerk remove the SOS abstract for a prior drunk driving conviction in case 03C798049A in which defendant pled guilty to Operating Under the Influence of Alcohol/Unlawful Blood Alcohol Level (OUIL/UBAL) on June 17, 2003, being sentenced on October 13, 2003. Defendant’s probation closed August 10, 2005. The earlier case was assigned to a different judge. Respondent wrote on the request “Plea set aside,” and requested that the conviction be deleted from the SOS.

271. In case 091746BT, Darren Young pled guilty on November 12, 2009, to count 1, possession of marijuana, reduced from possession/delivery of marijuana or controlled substance without a prescription, with no objection to 333.7411. Respondent dismissed count 2, possession of controlled substance paraphernalia, but did not order the \$50 COP which was part of the plea agreement.

272. The conduct described above constitutes:

- a. Conduct clearly prejudicial to the administration of justice, as defined by the Michigan Constitution of 1963, as amended, Article 6, Section 30, and MCR 9.205;
- b. Conduct in violation of Code of Judicial Conduct, Canon 3A(4) that a judge shall not initiate, permit, or consider ex parte communications;
- c. Conduct in violation of the Code of Judicial Conduct, Canon 2C that a judge should not allow family, social, or, other relationships to influence judicial conduct of judgment;
- d. Conduct in violation of the Code of Judicial Conduct, Canon 2C that a judge should not use the prestige of office to advance personal business interests of those of others;
- e. Conduct in violation of the Code of Judicial Conduct, Canon 3A (5) that a judge should dispose promptly of the business of the court;
- f. Conduct involving impropriety and the appearance of impropriety, in violation of the Code of Judicial Conduct, Canon 2A;
- g. Conduct that violates the standards or rules of professional responsibility adopted by the Supreme Court, contrary to MCR 9.104(4);
- h. Conduct which exposes the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2);
- i. Conduct which is prejudicial to the proper administration of justice, in violation of MCR 9.104(1);

- j. Failure to be faithful to the law, contrary to the Code of Judicial Conduct, Canon 3A(1), including without limiting deliberate violations of MCL 257.1 et seq (motor vehicle code, including without limiting 257.732 et seq, MCL 257.328, MCL 257.907), MCL 769.1(f), MCL 769.6, MCL 771.1(2), MCL 772.1 et seq, and MCL 780.621;
- k. Failure to establish, maintain, enforce and personally observe high standards of conduct so that the integrity and independence of the judiciary may be preserved, contrary to the Code of Judicial Conduct, Canon 1;
- l. Failure to respect and observe the law and to conduct himself at all times in a manner which would enhance the public's confidence in the integrity and impartiality of the judiciary, contrary to the Code of Judicial Conduct, Canon 2B;
- m. Irresponsible or improper conduct which erodes public confidence in the judiciary, in violation of the Code of Judicial Conduct, Canon 2A;
- n. Lack of personal responsibility for his own behavior and for the proper conduct and administration of the court in which he presides, contrary to MCR 9.205(A);
- o. Misconduct in office, as defined by the Michigan Constitution of 1963, as amended, Article 6, Section 30 and MCR 9.205.

Pursuant to MCR 9.209, Respondent is advised that an original verified answer to the foregoing complaint, and nine copies thereof, must be filed with the Commission within 14 days after service upon Respondent of the complaint. Such answer shall be in a form similar to the answer in a civil action in a circuit court

**JUDICIAL TENURE COMMISSION
OF THE STATE OF MICHIGAN**
3034 W. Grand Boulevard, Suite 8-450
Detroit, Michigan 48202

/s/
Glenn J. Page (P31703)
Co-Examiner

87